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September 18, 2008

United States Environmental  
Protection Agency  
Region 5  
Attn: Spiros Bourgikos  
77 West Jackson Blvd., LR-8J  
Chicago, Illinois 60604

RE: Summit, Inc.

Dear Mr. Bourgikos:

Please be advised that our law firm represents Summit, Inc. Enclosed please find Summit's response to your request for information dated July 24, 2008.

Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

COHEN AND THIRO



BY: ALISON L. BENJAMIN

ALB/clk  
Enclosures

**RESPONSE TO EPA REQUEST FOR INFORMATION**

- 1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified.**

ANSWER:

Peter Coulopoulos, General Manager, Summit, Incorporated  
David Green, Senior Project Manager, ATC Associates, Incorporated

- 2. Identify the owner(s) of the property from 1980 to the present. Include a copy of the deed for the property, the legal description of the property, and a plat of survey.**

ANSWER:

The land which you refer to as the property actually consists of six parcels which are outlined on the enclosed Site Map. Parcel 6 was previously owned by Maria Coulopoulos, from approximately 1962 until her death. Parcel 6 is currently owned by Peter Coulopoulos, as beneficiary of Lake County Trust Company, Trust 946. Parcel 6 bears a street address of 6901 West Chicago Avenue, Gary, Indiana. Parcel 6 is located slightly to the west of the intersection of Chicago Avenue and Industrial Highway. It is accessible from Chicago Avenue. Summit, Incorporated, a successful scrap recycling company, operates on this parcel, as well as portions of the five remaining parcels.

The five remaining parcels, Parcels 1-5, were owned at various times, from 1962 to the present, by Maria Coulopoulos. Sometime around 1976, Constance Coulopoulos purchased Parcels 1-5. In August of 2008, Constance Coulopoulos signed a Quit-Claim Deed transferring Parcels 1-5 to Peter Coulopoulos. The five parcels stretch from the intersection of Chicago Avenue and Industrial Highway, continue southeast along Industrial Highway, and stop at the E & J Railroad which borders property owned by the Gary Airport. It is not believed that Parcels 1-5 share the same street address as Parcel 6.

In further response, I have enclosed the following documents:

Site Map  
Trust 946 Agreement  
Trust 946 Deed  
1977 Survey  
1970 Aerial Photograph  
2008 Survey  
Quit Claim Deed

- 3. Identify all businesses that operated on the property from 1980 to the present. For each business describe what it did on site and the names of the individual(s) most familiar with those operations.**

ANSWER:

Previous to 1980, and up until March of 2002, Western Scrap operated on Parcels 3, 5, and 6, as located on the Site Map. Western Scrap was in the business of buying cars and crushing them. Western Scrap was operated by John Coules.

At some point between 1980 and 2002, Midwest Scrap operated on the property. Midwest Scrap was in the business of buying and processing obsolete scrap. Midwest Scrap was operated by Ted Coules.

Summit, Inc., was formed in April of 2002, but did not begin conducting business on the site until November of 2004. Summit, Inc., is a scrap recycling company which operates on Parcels 5 and 6 of the Site Map, as well as portions of the other remaining parcels. Summit, Inc., purchases automobiles, evacuates fluids (e.g. freon, gasoline), removes batteries, removes mercury switches, removes catalytic converters and tires with aluminum wheels, and then crushes cars for delivery to a shredding company. Peter Coulopoulos is the general manager for Summit, Inc.

- 4. Provide a copy of the articles of incorporation for Summit, Inc.**

ANSWER:

Enclosed with this correspondence are the Articles of Incorporation for Summit, Inc.

- 5. Identify all shareholders of Summit, Inc. From 1980 to the present.**

ANSWER:

Enclosed with this correspondence are the Stock Certificates for Summit, Inc.

- 6. Describe the corporate? owner? temporal? neighborly? relationship between Summit, Inc., and Western Scrap. Provide any information you may have related to Western Scrap's operation on site.**

ANSWER:

There is no relationship between Summit, Inc., and Western Scrap. Western Scrap was owned by Maria Coulopoulos and operated by John Coules. Western Scrap ceased business in March of 2002, after Maria Coulopoulos became ill. Maria Coulopoulos then passed away in August of 2002. Summit, Inc., was incorporated in April 2002, but did no business on the site until November 2004. Summit, Inc. believes that Western Scrap took cars in, crushed them with a hydraulic car crusher, and then took cars off site to a

shredder facility; however, Summit, Inc. is in possession of no verifying documentation.

7. **Identify all tanks presently located on site. For each such tank identify:**
- a. **the contents from 1980 to the present;**
  - b. **the date it was installed;**
  - c. **if there were any releases from the tanks then identify the date and liquids released;**
  - d. **the dates when the tanks were emptied and cleaned or otherwise decommissioned and the person(s) responsible for their decommissioning; and**
  - e. **the most recent date that the tank was inspected (include information on the method of inspection and a copy of any inspection report).**

**ANSWER:**

Summit, Inc. believes that there may be 4 or 5 underground storage tanks on Parcel 5 of the Site Map. Sometime prior to 1976, a Texaco gas station was located at the site of the underground storage tanks. It is believed that the underground storage tanks were part of the gas station. It is also believed that the Texaco gas station was no longer in business and was not physically in existence when Constance Coulopoulos originally purchased Parcels 1-5. Summit, Inc., has no knowledge as to when the underground storage tanks were installed, but believes that they may have been installed prior to 1950.

Neither Western Scrap nor Summit, Inc., ever operated the underground storage tanks. It is believed that the storage tanks contained gasoline and diesel and that one of the tanks possibly contained waste oil. Summit, Inc., does not know when any releases occurred from the underground storage tanks, but environmental analysis conducted by ATC Associates and 4 Seasons Environmental indicate that releases may have occurred from the underground storage tanks at some point in time.

In further response, please review the following documents which are enclosed with this correspondence (these reports are located on the computer disk provided in response to EPA request number 10):

ATC Associates, report dated December 22, 2006,  
4 Seasons Environmental, report dated February 26, 2005  
4 Seasons Environmental, report dated May 3, 2005.

8. **Do you have on site any system for the treatment of waste waters? Provide a copy of the process diagram and any permit that you may have.**

**ANSWER:**

Summit, Inc., does not have a system for the treatment of waste waters.

9. **Do you have a permit for the discharge of pollutants to the waters of the United States? Provide a copy of such permit.**

ANSWER:

Summit, Inc., does not have a permit for the discharge of pollutants to the waters to the United States.

10. **Provide a copy of any soil sampling or assessment conducted on site.**

ANSWER:

In response, please review the following items which have been enclosed with this correspondence:

List of Reports generated by 4 Seasons Environmental and ATC Associates  
Computer Disk containing all computer reports on the List of Reports

11. **Provide a copy of all Uniform Hazardous Waste Manifests, Bills of Lading/Tracking Documents, Invoices, receipts and similar tracking documents for shipments from Summit, Inc. To Beaver Oil Company, Inc. From March 1, 2008 to April 25, 2008. Include shipments where Beaver Oil Company, Inc. Was either the transporter or the receiving facility.**

ANSWER:

In response, please review the following items which have been enclosed with this correspondence:

Copy of all documents possessed by Summit, Inc., dated from March 1, 2008 to April 25, 2008, in regards to Beaver Oil Company.

12. **Have you determined whether of whether "automotive liquids" from scrap vehicles located on site are hazardous wastes?**

**For the purpose of this question "automotive liquids" include those liquids drained from the vehicles before crushing and those released from the vehicles after crushing. They also include, but are not limited to, antifreeze/coolant, brake fluid, automatic transmission fluid, gear oil, power steering fluid, motor oil, window washer fluid, air conditioner compressor oil, battery acids, gasoline and mixtures of these liquids.**

**If the answer to this question is "yes" then provide the date of your determination, the spent automotive liquid that was covered by that determination (e.g., anti-freeze or mixtures of anti-freeze and engine oil); and copies of all analysis or other information you relied upon to make that determination.**

ANSWER:

Summit, Inc., has not determined whether the automotive liquids from scrap vehicles located on the site are hazardous wastes. Beaver Oil Company conducts analysis and testing upon the automotive liquids. In further response to this request, please review the documents relating to Beaver Oil Company provided in response to EPA request number 11.

13. **Provide a copy of your Stormwater Pollution Prevention Plan and your Spill Prevention Control and Countermeasures Plan.**

ANSWER:

The Stormwater Pollution Prevention Plan is included on the enclosed computer disk provided in response to EPA request number 10.

14. **Have you ever notified EPA or IDEM of waste activities (e.g., used oil management activities and/or hazardous waste activities)? Provide a copy of the notification.**

ANSWER:

The Indiana Department of Environmental Management has a copy of all of the reports provided herewith to the EPA in response to EPA request number 10.

15. **Provide a copy of any analysis you have related to whether the liquids provided to Beaver Oil Company, Inc. Are on-specification or off-specification used oils as defined by 329 IAC 13-3-2.**

ANSWER:

Please see the documentation enclosed herewith in response to EPA request number 11.

16. **For the following series of questions please refer to Attachment 2, Photograph No. 1:**
- a. **identify the contents of the white 5 gallon bucket to the left of the crusher and the metal basin over the axle of the crusher trailer - provide a copy of any analysis of the contents:**
  - b. **identify when you cleaned the releases of oil depicted in the photo and on the ground (provide documents, such as manifests or bills of lading, showing how the spilled material was disposed);**

ANSWER:

- a. The white 5 gallon bucket contains fluids such as transmission oil, power steering fluid, brake fluid, residual gas, and windshield wiper fluid which

are residual fluids from the car crushing process. These fluids are then transferred into an above ground storage tank which is then taken by Beaver Oil Company. Beaver Oil Company's analysis of the contents was provided in the documentation responsive to EPA request number 11.

- b. The releases of oil depicted in this photograph are cleaned up on a daily basis. Summit, Inc., utilizes a process under which oil dry is placed upon the release, the oil dry is swept up and then disposed of in a garbage box provided by Waste Management. Summit, Inc., does not possess any documents relating to how Waste Management disposed of the material.

**17. For the following series of questions refer to Attachment 2, Photograph No. 2:**

- a. **identify the metal structure and explain its purpose;**
- b. **identify what, if any, liquids enter this structure and the source of those liquids;**
- c. **provide a copy of any analysis completed on the liquids;**
- d. **provide diagrams, sketches or similar drawings of the construction and design of this structure;**
- e. **identify the date this structure was installed; and**
- f. **provide a copy of all permits you have related to the construction, installation, and operation of this structure.**

**ANSWER:**

- a & b. This item is an oil water separator. It is located adjacent to the concrete crushing pad. This is a back-up device utilized in case of heavy rains. Should heavy rains occur shortly after oil is spilled on to the crushing pad during the crushing process, the oil and water mix and drain through the separator instead of running off the pad. Any fluids that are spilled during the car crushing process, including transmission fluid, oil, gas, brake fluid, and power steering fluid may potentially enter the oil water separator as the source of the liquids is from spills occurring during the car crushing process. This structure is no longer present at Summit, Inc. In June of 2008, Summit, Inc., removed the structure and concreted everything up to its fence at a severe angle to contain any fluid on the pad from being washed off due to heavy rains.
- c. Any liquid which enters the oil water separator is transferred to the above-ground storage tanks and then disposed of by Beaver Oil. Analysis of the liquid is conducted by Beaver Oil and related documentation has been previously been provided herein under responses EPA's request number 11.
- d. There are no diagrams, sketches or similar drawings in existence. Summit, Inc., created this device in conference with David Green, Senior Project

Manager, ATC Associates.

- e. The structure was installed during the summer of 2006.
- f. Summit, Inc., is not in possession of any permits related to the construction, installation, and operation of the structure.

**18. For the following series of questions refer to Attachment 2, Photograph No. 3:**

- a. identify the metal box depicted in the photo and explain what it is used for;
- b. identify the liquids contained in it and the source of those liquids;
- c. provide a copy of all documents which identify the physical characteristics and chemical composition of these liquids;
- d. describe what you do with the liquids contained in this metal structure;
- e. provide a copy of all permits and design plans you have for this structure; and,
- f. describe any spill report you made in accordance with 327 IAC 2-6.1.

**ANSWER:**

- a & b. This item is a secondary containment unit for the 55 gallon waste oil drums. The source of oil contained within the drums comes from the vehicles. It was drained from the vehicles prior to crushing with some of it being residual oil emanating from the vehicle during the crushing process. This structure is no longer used as a secondary containment for the 55 gallon waste oil drums. Summit, Inc., now uses an above storage tank to contain oil drained from cars prior to the crushing process and residual oil drained during the crushing process.
- c. Please see the documents provided in response to EPA request number 11.
- d. The liquids contained within this structure were evacuated by Beaver Oil Company.
- e. Summit, Inc., is not in possession of any permits or design plans for the structure.
- f. No spill reports have been made in regards to this structure.

**19. For the following series of questions refer to Attachment 2, Photograph No. 4:**

- a. identify the contents of the drums depicted in the photograph; and
- b. identify the source of the contents of the drums.

**ANSWER:**



- a & b. These drums are empty. They were extra drums waiting that were waiting to be filled with oil drained from cars prior to crushing in residual oil drained during the crushing process.

20. For the following series of questions refer to Attachment 2, Photograph No. 5:

- a. identify the liquid contents of the drip pan depicted in the photograph.
- b. provide copies of information you have related to the chemical constituents of the liquids contained in the drip pad.
- c. did you characterize whether these liquids were a hazardous waste? If you answer yes then provide the date you made the characterization and a copy of any documentation you relied upon to make that characterization.

ANSWER:

- a, b, & c. The drip pan contains residual fluids which leak out of vehicles during the crushing process. It contains the same fluids as a white 5 gallon bucket referenced in EPA request number 16. The fluids are transferred to an above ground storage tank. Summit, Inc., has not characterized these fluids; however, Beaver Oil has analyzed these fluids. For analysis documents, please refer to the documents provided in response to EPA request number 11.

21. For the following series of questions refer to Attachment 2, Photograph Nos. 6, 7 and 8.

- a. identify the liquid contents of the tote depicted in the Photograph Nos. 7 and 8.
- b. provide copies of information you have related to the chemical constituents of the liquids contained in the tote.
- c. did you characterize whether the liquids contained in the tote were a hazardous waste? If you answer yes then provide the date you made that characterization and a copy of any documentation you relied upon to make that characterization.

ANSWER:

- a, b, & c. Disposal of the contents of the tote is handled by T & S Batteries. Summit, Inc., is not in possession of any documents relating to the constituents of the liquids contained in the tote. The totes are no longer utilized by Summit, Inc., Summit, Inc., now utilizes a steel container.

22. For the following series of questions refer to Attachment 2, Photograph Nos. 9 and 10:

- a. identify the liquids depicted in the Photograph No. 10 on the ground near the opening in the tote.
- b. provide copies of information you have related to the chemical constituents of the liquids identified in question "a".
- c. did you characterize the liquids identified in question "a" above as a hazardous waste? If you answer yes then provide the date you made that characterization and a copy of any documentation you relied upon to make that characterization.

ANSWER:

- a, b, & c. The liquids referred to in EPA request number 22 are rain water. Summit, Inc., has no further information regarding the chemical constituents of the rain water. Summit, Inc., has not characterized the rain water.

23. For the following series of questions refer to Attachment 3:

- a. identify who completed and signed these documents. If more than one person was responsible then indicate their name and what they completed on the documents.
- b. identify who made the determination that the material was "on specification used oil". Include a copy of the analysis and other documentation related to that determination.

ANSWER:

- a & b. A driver from Beaver Oil Company completed and signed the documents referred to in EPA request number 23. The entire document was generated, completed, and signed by a representative by Beaver Oil Company. Summit, Inc. has no further information regarding the contents of the documents. Beaver Oil Company made the determination that the material was "on-specification used oil." Documentation regarding the determination has previously been provided in response to EPA request number 11.

24. For the following series of questions refer to Attachment 2, Photograph No. 2:

- a. did you respond to the releases of used oil to the environment depicted on the left side of the metal structure in the middle of the photograph? If you answer yes, then indicate the date of the clean-up and what you did with the cleaned up used oil. Include copies of all related transportation, disposal and sampling documents.

ANSWER:

- a. Summit, Inc., responded by placing an oil pillow on top of the surface.

The clean up incurred after the EPA inspection in March of 2008. Summit, Inc., does not possess any documents related to the transportation, disposal, or sampling, regarding the oil.

25. **Provide a copy of all analysis or other similar data you have related to whether your used oil is on-specification or off-specification used oil as defined by 329 IAC 13-3-2.**

ANSWER:

Please see the documentation enclosed herewith in response to request number 11.

26. **Provide all information provided to Summit by the generator, wholesaler, retailer, or seller of the slag used on site regarding its status as a solid and/or a hazardous waste. For each document, identify who provided the document to Summit.**

ANSWER:

A slag analysis was conducted by David Green of ATC Associates. Copies of this documentation are enclosed herein.

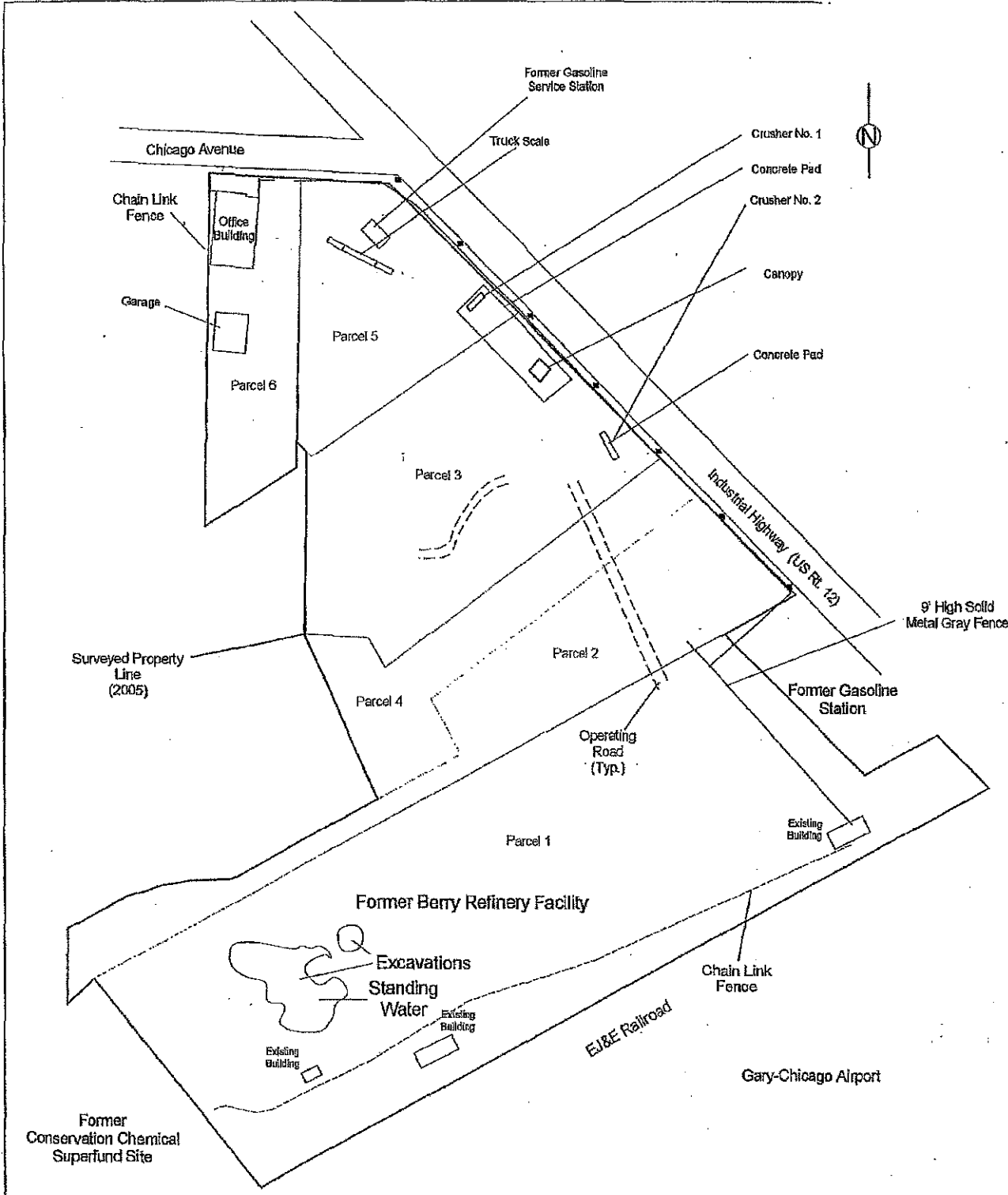
27. **Provide the following certification by a responsible corporate officer:**

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



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PETER COULOPOULOS  
General Manager, Summit, Inc.



**Legend**  
 ■ Utility Pole

**Site Map**  
 Summit, Inc.  
 6901 West Chicago Avenue  
 Gary, Indiana 46406

Project Number: 23.30507.6001		Drn By: DSG
Drawing File: 30507 Site Map		Ckd By:
Date: 12/4/08	Scale: 1" = 250'	App'd By:
		Figure:

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