

**Monthly Progress Report #2
August 14, 2009**

**U.S. EPA Region 5 / VIM Recycling, Inc.
Administrative Consent Order # EPA-5-09-113(a)-IN-05**

Introduction

On June 29, 2009, VIM Recycling, Inc. (VIM) entered into an Administrative Consent Order (ACO) #EPA-5-09-113(a)-IN-05 with U.S. EPA Region 5. The VIM facility referenced in the ACO is located at 29861 Old US Highway 33 in Elkhart, Indiana.

A detailed 'Compliance Program' is set forth in paragraphs 26 – 58 of the ACO. In general, the program stipulates the following:

- Monitoring for and control of fire, smoke, dust and odors from stockpiled debris,
- Monitoring and surveillance of the stockpiled debris to detect fires,
- Recordkeeping, documentation and reporting of progress to EPA and IDEM,
- Sorting, screening and removal the larger fraction (> 4") of construction and demolition debris found in stockpiles C-1 and O-1 (delineated in Attachment 1),
- Placement of the smaller fraction (< 4") of the debris sorted and screened into windrows on site.

The C-1 pile contains construction and demolition debris mixed with soil that must be sorted and screened prior to removal from the site for disposal. The O-1 pile contained larger fraction material (> 4") which was previously screened out and did not require sorting or screening prior to removal. The O-1 pile was completely removed from the site during the reporting period. An updated topographic map of the C-1 pile dated August 3rd is found in Attachment 2.

The ACO required development of a contingency plan for possible emergencies which may occur during the project. A draft of this plan has been submitted for review. Finally, a website to keep the public apprised of progress on the project was established.

The following report fulfills the requirement in paragraph 57(b) of the ACO and reviews progress made on the ACO between July 6th and July 31st.

Progress Report

This report is divided into two sections, the administrative aspect of the ACO and the field activities aspect of the ACO. A summary of these respective activities during this reporting period is found below.

Administrative Management Activities Update

- Four weekly progress reports were sent in to EPA during the reporting period. Any errors or discrepancies identified were corrected immediately.
- The first monthly report, covering the period June 29th – July 6th, was submitted on July 17th to comply with paragraph 57(a) of the ACO.
- Certification reports were obtained and submitted to EPA for the scales at both the VIM facility and the destination landfill to comply with paragraph 41 of the ACO.
- The project binder was maintained and updated with required documentation pursuant to the ACO on site in the main trailer. Agency personnel are provided access to the binder upon request.
- Meetings were held with the Elkhart County Commissioners and Mr. Kim Davis of the Elkhart County Landfill on July 6th to provide a briefing on the ACO and discuss disposal options and procedures for the C-1 and O-1 pile materials to be removed from the site.
- Meetings and site tours were held with Chief Tim Graves of Baugo Fire Department, Rich Hackel of IDEM, and Jennifer Tobey of the Elkhart County EMA on July 13-14th to provide a briefing on the ACO activities and general site orientation. Input was solicited on a draft Site Emergency Response Plan developed to comply with paragraph 52 of the ACO.
- A draft Site Emergency Response Plan was submitted to EPA on July 20th for input, comments and suggestions in accordance with paragraph 54 of the ACO. VIM will integrate EPA comments and finalize the document as soon as possible.
- To comply with paragraph 56 of the ACO, the VIM website (<http://www.vimrecycling.com>) was established to include monthly progress reports (which contain all weekly reports) and links to supporting documents such as the ACO and EPA press release. The website was fully operational on July 17th and was updated with the July monthly report on August 11th.
- Representatives from U.S. Senator Evan Bayh and U.S. Congressman Joe Donnelly visited the site on July 30th to receive an update on the ACO and view excavation, sorting, screening and removal operations. Elkhart County Commissioner Terry Rodino accompanied the representatives on the site visit.

Field Activities Update

- Grading was conducted to establish an access, equipment staging and vehicle turn-around area in the southeast corner of the C-1 pile. This required movement of a windrow of fines, with permission granted by IDEM.
- Excavation, sorting, screening and removal activities commenced on the C-1 and O-1 piles. The weekly target required by paragraph 33 of 1000 cubic yards per week was exceeded during every week of the reporting period (see weekly progress reports in Attachment 3).
- Excavation, loading, transport and disposal were completed on all materials contained within the O-1 pile.

- See Photo Log photos #1, 2, 3 and 4 for details on equipment and procedures being used and progress made during the reporting period.
- A topographic field survey was conducted on August 3rd and an updated topographic map of only the C-1 stockpile was finalized and submitted to comply with paragraph 44 of the ACO. It was determined by EPA that at this time, it was not practicable to accurately survey windrows of fines left on site as a result of screening operations. This will be considered again in advance of the next topographic field survey.
- The topographic survey (see Attachment 2) shows that 17,335 cubic yards were removed from the C-1 stockpile since the date of last survey (May 20, 2009). The original footprint of the C-1 pile is shown on the updated survey in red to highlight the progress made in removing the pile during the reporting period.
- Approximately 11,770 yards of over-sized (> 4") materials, or "overs," were screened out and disposed of in the landfill during the reporting period.
- Approximately 9,878 yards of fines (< 4") were left behind on site in windrows for composting and incorporation into a manufactured soil product during the reporting period.

Paragraph 43 of the ACO requires Weekly Progress Reports to be submitted to U.S. EPA each Monday. The following Weekly Progress Reports corresponding to the reporting period for this Monthly Progress Report are identified in the table below.

Weekly Report #	Reporting Period
2	7/6/09 – 7/11/09
3	7/13/09 – 7/19/09
4	7/20/09 – 7/26/09
5	7/27/09 – 8/2/09

Copies of the Weekly Progress Reports are found in Attachment 3.

Anticipated Activities Next Month

- Comments and input from EPA will be integrated, and the Site Emergency Plan will be finalized and distributed to the Baugo Fire Department, Elkhart County Emergency Management Agency, the Indiana Department of Environmental Management Emergency Response Branch, and U.S. EPA Region 5.
- VIM staff will be provided training on the Site Emergency Plan.
- Excavation, sorting, screening, loading, transport and disposal of C-1 pile materials will continue.
- An updated topographic survey will be conducted toward the end of the reporting period.

Contact Information

Copies of all reporting and documentation required by the ACO are available on site for review at any time by Agency personnel. Any questions regarding this Monthly Report should be directed to:

Mr. Kenneth Will
VIM Recycling, Inc.
29861 Old US Highway 33
Elkhart, Indiana 46516
Phone: 574/642-3677
Email: kwill05@comcast.net

Report Submittal

As required by Paragraph 57 of the ACO, copies of this report were submitted to the following entities:

Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Attention: Mr. Bruce Palin
State of Indiana Department of Environmental Management
Office of Land Quality (MC 66-30)
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Signature:


Kenneth Will, VIM Recycling, Inc.

Photo Log



Photo 1. VIM Recycling, Inc., Elkhart operations
Description: Removal of O-1 pile into 50 yd roll-off containers
Date Taken: 7/16/09



Photo 2. VIM Recycling, Elkhart operations
Description: L-120D loader excavating and loading out O-1 pile into 50 yd and 100 yd trailers
Date Taken: 7/21/09

Photo Log

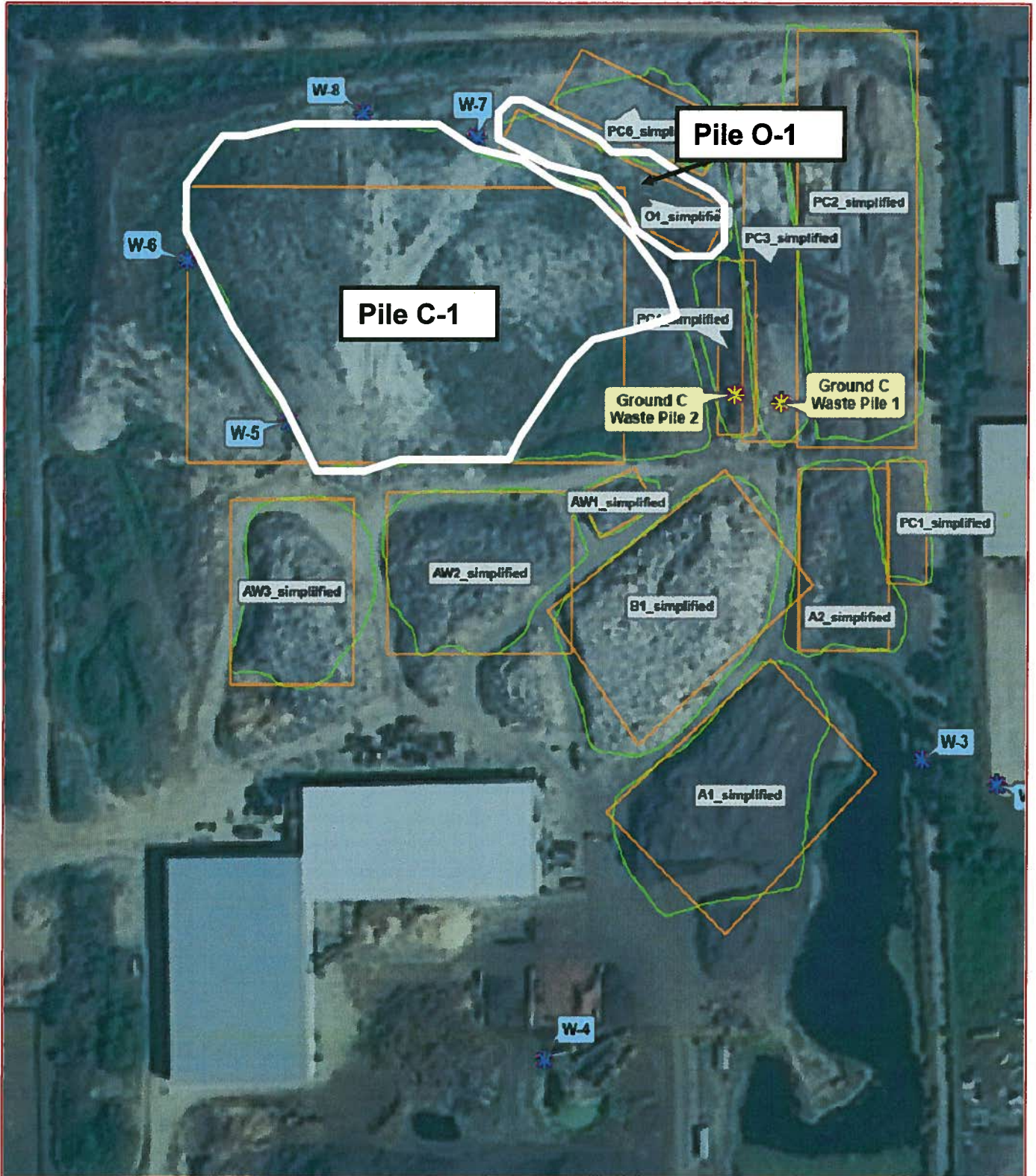


Photo 3. Elkhart County Landfill, Elkhart, Indiana
Description: Disposal of overs (> 4" particles) from 50 yd container at landfill
Date Taken: 7/21/09



Photo 4. VIM Recycling, Elkhart operations
Description: Excavation and screening activity on west side of C-pile
Date Taken: 7/28/09

Attachment 1. Boundaries of “C Pile” material stockpiles to be addressed pursuant to paragraph 31 of Compliance Program*



***The precise limits of “C Pile” material stockpiles C-1 and O-1 may be adjusted by EPA in the field as the removal progresses.**

Attachment 2. Topographic survey of "C Pile" materials as of 8/03/09

EXISTING GROUND TO C-PILE CUT = 0.35 CU. YD. FILL = 955.40.78 CU. YD. 5/20/08
 EXISTING GROUND TO C-PILE CUT = 0.88 CU. YD. FILL = 7800S.48 CU. YD. 8/3/09



GRAPHIC SCALE
 (IN FEET)
 1 Foot = 80 S.



SCALE	DATE
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C-PILE VOLUME AUGUST 3, 2009
 LOT 1 - VIN D.P. 211.D.
 PLAT BOOK 32 PAGE 100
 PT. SW 1/4 SECTION 11 &
 PT. NW 1/4 SECTION 14 T37N, R4E
 SAUGO TOWNSHIP, ELKHART COUNTY
 INDIANA

Marbach
 Surveying & Mapping, Inc.
 3220 Encen-shaw Drive
 Ellettsville, Indiana 46514
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 DRAWN BY: [Name]
 CHECKED BY: [Name]

ATTACHMENT #3

**COPIES OF WEEKLY REPORTS
SUBMITTED DURING
REPORTING PERIOD**

Weekly Report #	Reporting Period
2	7/6/09 – 7/11/09
3	7/13/09 – 7/19/09
4	7/20/09 – 7/26/09
5	7/27/09 – 8/2/09

VIM Recycling, Inc.
Administrative Consent Order # EPA-5-09-113(a)-IN-05
Weekly Progress Summary

Report No.	2
Month	Jul-09
Date	7/11/2009
Period	7/6/09-7/11/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	PRIOR TO 6-29-09 TOPSOIL WAS PLACED ON NORTH SIDE OF "C" PILE UNDER EPA SUPERVISION
43b	Material removed from site	1450YDS/370TONS
43d	Cumulative total removed	1450YDS/370TONS
43c	Volume left on site	1925YDS
43e	Cumulative total left on site	1925YDS
40, 43f	Load tickets	25
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN & JOSE HERNANDEZ, CARLOS MOLINA, JOSE MOLINA
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, AARON LEHMAN & JOSE HERNANDEZ & JOSE MOLINA, L120-D LOADER CARLOS MOLINA
44	Update topographic map	NO, CURRENT TOPOGRAPH DATED JUNE 2009
48, 49	Surveillance activities, reports	AARON (7-6-09,7-8-09,7-10-09),JOSE (7-7-09)JOSE H.(7-9-09,7-11-09), KEN(7-9-09,7-10-09)
55	Site emergency plan	MEETING SCHEDULED FOR 7/13/09, 7/14/09 WITH EMERGENCY RESPONDERS
56	Informational website	UNDER DEVLOPMENT
	Agency personnel on site	PAUL RUESCH (7/6/09,7/11/09), SHANNON DOWNEY (7/6/09), RICH ROUDEBUSH, JASON PALIN, JOHN NADDY(7/8/09), DON LEBRIN-IDHS, (7/10/09)

Notes: SCREENING, SORTING, AND REMOVAL ACTIVITES UNDERWAY,
SITE EMERGENCY PLAN UNDERDEVELOPMENT

Prepared by: KEN WILL 7/11/09

VIM Recycling, Inc.
Administrative Consent Order # EPA-5-09-113(a)-IN-05
Weekly Progress Summary

Report No.	3
Month	Jul-09
Date	7/19/2009
Period	7/13/09 TO 7/19/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	NO TOPSOIL WAS PLACED
43b	Material removed from site	1700 YDS / 488 TONS
43d	Cumulative total removed	3150YDS / 858 TONS
43c	Volume of screened fines generated	2563YDS
43e	Cumulative total of screened fines generated	4488 YDS
40, 43f	Load tickets	34
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, JOSE MOLINA
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, JOSE MOLINA
44	Update topographic map	JUNE 2009 TOPO TO BE UPDATED NEXT WEEK
48, 49	Surveillance activities, reports	AARON (7-19), JOSE M (7-13,7-14,7-18), JOSE H (7-15,7-16), CARLOS (7-17), & KEN (7-13,7-14,7-16,7-17,7-18)
55	Site emergency plan	MEETINGS HELD 7/13-14/09 WITH EMERGENCY RESPONDERS, DRAFT SUBMITTED TO EPA ON 7/17
56	Informational website	UNDER DEVELOPMENT
	Agency personnel on site	PAUL RUESCH (7-13,7-14), JACOB HASSAN (7-16), RICH HACKEL IDEM EM (7-13), TIM GRAVES BAUGO FIRE DEPT(7-13 MTG), JENNIFER TOBY & MIKE PENNINGTON ELK CTY EMD (7-14 MTG), DON LABRAN IND FIRE MARSHALL OFFICE(7-15)

Notes: SCREENING, SORTING, AND REMOVAL ACTIVITES CONTINUE,
SITE EMERGENCY PLAN UNDER DEVELOPMENT

Prepared by: KEN WILL 7/19/09

VIM Recycling, Inc.
Administrative Consent Order # EPA-5-09-113(a)-IN-05
Weekly Progress Summary

Report No.	4
Month	Jul-09
Date	7/26/2009
Period	7/20/09 TO 7/26/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	7-20-09 TOPSOIL PLACEMENT ON NORTHWEST CORNER OF C-PILE AT 8:30 PM. SEE NOTES FOR DETAILS.
43b	Material removed from site	2300 YDS / 630 TONS
43d	Cumulative total removed	5450YDS / 1489 TONS
43c	Volume of screened fines generated	2390YDS
43e	Cumulative total of screened fines generated	6878 YDS
40, 43f	Load tickets	35
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, JOSE MOLINA
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, JOSE MOLINA
44	Update topographic map	TOPOGRAPHICAL SURVEY IS SCHEDULED FOR AUGUST 3, 2009 WHICH WILL BE INCLUDED IN JULY MONTHLY PROGRESS REPORT
48, 49	Surveillance activities, reports	AARON (7-20,7-21,7-22,7-23), JOSE M (7-21, 7-25,7-26), JOSE H (7-22,7-23,7-25,7-26), CARLOS (7-17), & KEN (7-20,7-22,7-23,7-24,7-26)
55	Site emergency plan	MEETINGS HELD 7/13-14/09 WITH EMERGENCY RESPONDERS, DRAFT SUBMITTED TO EPA ON 7/17
56	Informational website	WEBSITE IS LIVE. SITE ADDRESS: WWW.VIMRECYCLING.COM
	Agency personnel on site	JACOB HASSAN (7-21,7-24,7-25), BECKY GEYER (7-21), RICK ROUDEBUSH (7-21,7-22), JASON PALIN (7-21,7-22), TERRY RODINO (7-21)

Notes:

SCREENING, SORTING, AND REMOVAL ACTIVITES CONTINUE,
 SITE EMERGENCY PLAN UNDER DEVELOPMENT

ON MONDAY NIGHT AT 7:30 PM, A SMOKE UP OCCURRED ON THE NORTHWEST SIDE OF THE C-PILE. SOIL WAS PLACED AND PADDED ON TOP OF THE PILE TO SMOTHER THE SMOKE. THE HOT SPOT WAS RESPONDED TO WITHIN 2 HOURS OF THE EVENT. STAFF REMAINED ON SITE FOR THREE HOURS TO MONITOR THE PILE FOR ANY ADDITIONAL EVENTS. THERE WERE NO ADDITION EVENTS THROUGHOUT THE REST OF THE WEEK.

Prepared by: KEN WILL 7/26/09

VIM Recycling, Inc.
Administrative Consent Order # EPA-5-09-113(a)-IN-05
Weekly Progress Summary

Report No.	5
Month	Jul-09
Date	8/2/2009
Period	7/27/09 TO 8/2/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	7-30-09 & 8-2-09 TOPSOIL PLACEMENT ON NORTH & WEST SLOPE OF C-PILE. SEE NOTES FOR DETAILS.
43b	Material removed from site	6250 YDS / 1844 TONS
43d	Cumulative total removed	11700 YDS / 3333 TONS
43c	Volume of screened fines generated	3000 YDS
43e	Cumulative total of screened fines generated	9878 YDS
40, 43f	Load tickets	95
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, JOSE MOLINA, LAURAL NISSLEY
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, JD750 DOZER, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, JOSE MOLINA, LAURAL NISSLEY
44	Update topographic map	UPDATED TOPO OF C PILE WILL BE CONDUCTED ON 8/3/09 FOR NEXT MONTHLY REPORT
48, 49	Surveillance activities, reports	AARON (8-2), JOSE M (7-31,8-1,8-2), JOSE H (7-27,7-28,7-29), KEN W (7-27,7-28,7-29,7-30,7-31,8-1,8-2)
55	Site emergency plan	AWAITING COMMENTS ON DRAFT PLAN SUBMITTED TO EPA ON 7/17
56	Informational website	TO BE UPDATED WITH AUGUST MONTHLY REPORT
	Agency personnel on site	P. RUESCH (7-28,7-29,7-30), S. DOWNEY (7/28), M. ONYSZKO (7/28), R. ROUDEBUSH (7-29,7-30), T. RODINO (7-30), H. PATEL (7-30), M. SCHMUHL (7-30), J. VUCKOVICH (7-30)

Notes: SCREENING, SORTING, REMOVAL ACTIVITES CONTINUE

SOIL MAY BE PLACED AND COMPACTED ONTO C-PILE SIDESLOPES TO CONTROL SMOKE AND STEAM. ANY HOT SPOTS ARE IMMEDIATELY ADDRESSED DURING WORKING HOURS AND WITHIN 3 HOURS OF DETECTION BY NIGHT WATCH.

Prepared by: KEN WILL 8/2/09