

**Monthly Progress Report #5
November 13, 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 in July. An updated topographic map of the C-1 pile dated November 3rd is found in Attachment 2.

The ACO required development of a contingency plan for possible emergencies which may occur during the project. This plan was finalized and distributed. Finally, a website is maintained to keep the public apprised of progress.

The following report fulfills the requirement in paragraph 57(e) of the ACO and reviews progress made on the ACO between October 5th and November 1st.

Progress Report

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

Administrative Management Activities Update

- Four weekly progress reports were sent to EPA during the reporting period.
- The fourth monthly report, covering the period August 31st – October 4th, was submitted on October 13th to comply with paragraph 57(d) of the ACO.
- The on-site 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.
- Officials from the U.S. EPA Region 5, Elkhart County Commissioners, and Indiana Department of Environmental Management visited the site on October 8th to view progress on the C-1 pile removal.
- Officials from the Indiana State Fire Marshall's Office and Indiana Office of Homeland Security visited the site on October 16th to view progress on the C-1 pile removal.
- To comply with paragraph 56 of the ACO, the VIM website (<http://www.vimrecycling.com>) was updated with the September monthly report on October 16th.

Field Activities Update

- Excavation, sorting, screening and removal activities continued on the C-1 pile. 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).
- See Photo Log for details on progress made during the reporting period.
- A topographic field survey was conducted on November 3rd and an updated topographic map of the C-1 stockpile was finalized and is hereby submitted in Attachment 2 to comply with paragraph 44 of the ACO.
- Due to space constraints, it is still not feasible to survey the windrows of fines left on site as a result of screening operations. Four windrows of fines are temporarily staged along the North and West berms. These windrows of fines will be moved when there is enough space to safely stockpile them in engineered windrows in compliance with paragraph 38 of the ACO.
- The topographic survey (see Attachment 2) shows the original footprint of the C-1 pile along with the August 3rd, September 1st, October 1st, and November 3rd contours to highlight the progress made in removing the C-1 pile.
- Approximately 13,050 yards of over-sized (> 4") materials, or "overs," were screened out and disposed of in the landfill during the reporting period.
- Approximately 12,184 yards of fines (< 4") were left behind on site in windrows during the reporting period.
- Excessive steam releases continued during the reporting period, which are caused by hot material contained within the C-1 pile. The working face of the excavation is covered each day with soil extracted from within the C-1 pile to attempt to control these emissions.
- Incidental smoke emissions took place during the reporting period. The smoke emissions are caused by hot or smoldering woody wastes as they are excavated

from the C-1 stockpile. These events are detected and addressed by excavating the hot material and application/compaction of soil onto the impacted area.

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.

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

Weekly Report #	Reporting Period
15	10/5/09 – 10/11/09
16	10/12/09 – 10/18/09
17	10/19/09 – 10/25/09
18	10/26/09 – 11/1/09

Anticipated Activities Next Month

- Excavation, sorting, screening, loading, transport and disposal of C-1 pile materials will continue.
- The project website will be updated with Monthly Report #5.
- 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: Excavation, sorting and screening operations on west side of C-1 pile
Date Taken: October 18, 2009



Photo 2. VIM Recycling, Elkhart operations
Description: Loading out 'overs' (>4") into 100yd truck for transport to landfill
Date Taken: October 18, 2009

Photo Log

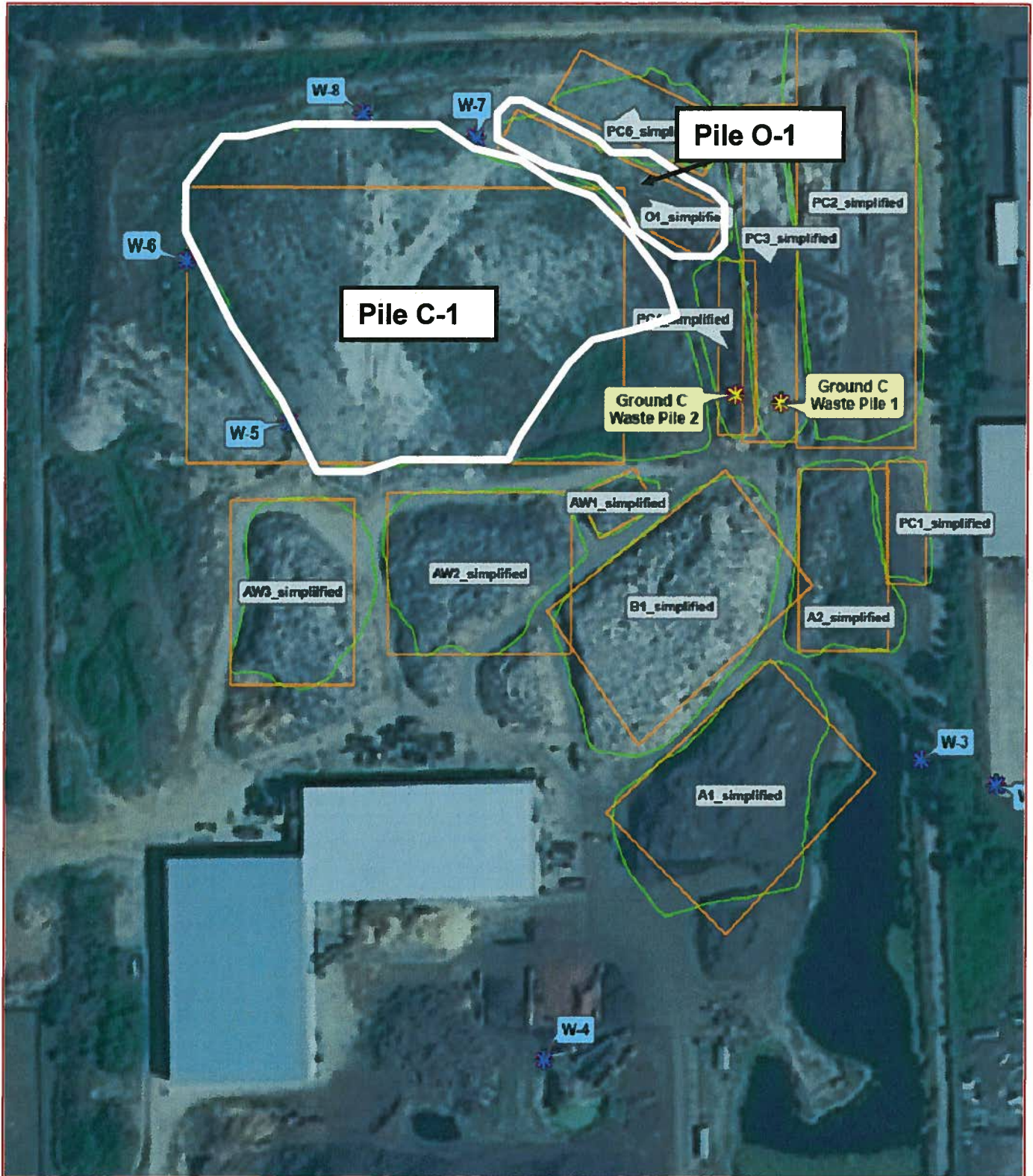


Photo 3. VIM Recycling, Elkhart operations
Description: Bulldozers covering working face of excavation with soil
Date Taken: October 18, 2009



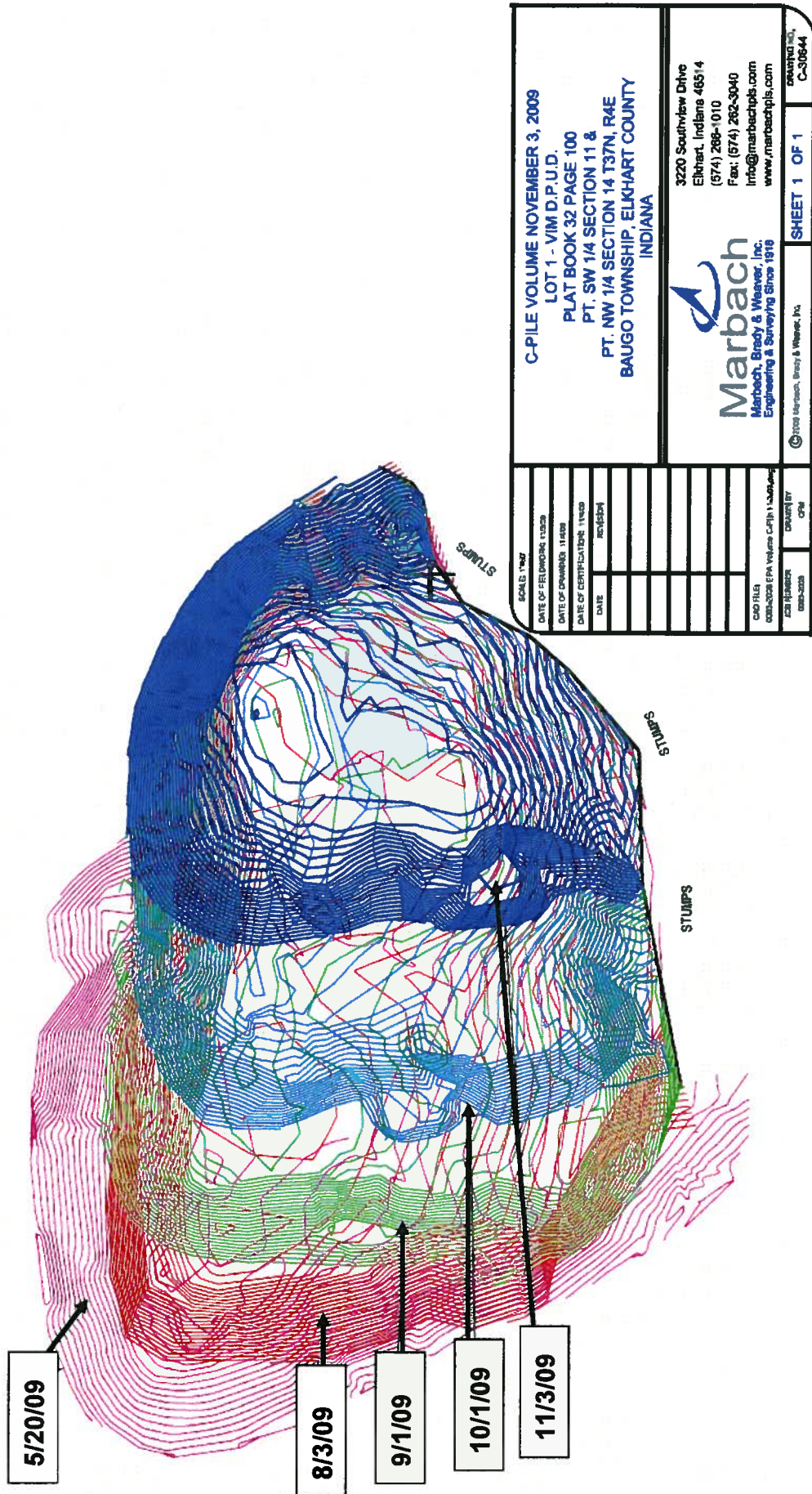
Photo 4. VIM Recycling, Elkhart operations
Description: Remaining 1/3 of the C-1 pile to be excavated
Date Taken: October 18, 2009

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 11/03/09



C-PILE VOLUME NOVEMBER 3, 2009 LOT 1 - VIM D.P.U.D. PLAT BOOK 32 PAGE 100 PT. SW 1/4 SECTION 11 & PT. NW 1/4 SECTION 14 T37N, R4E BAUGO TOWNSHIP, ELKHART COUNTY INDIANA		3220 Southview Drive Elkhart, Indiana 46514 (574) 266-1010 Fax: (574) 262-3040 info@marbachpls.com www.marbachpls.com		SHEET 1 OF 1
SCALE: 1"=80' DATE OF RECORDING: 11/20/09 DATE OF DRAWING: 11/4/09 DATE OF CERTIFICATION: 11/20/09 DATE: _____ BY: _____ CHECKED BY: _____ DATE: _____	CAD FILE: 003-2009 EPA Volume C-PILE 1-11/03/09.dwg CEN NUMBER: 003-2009	DRAWN BY: CPM		
© 2009 Marbach, Brady & Weaver, Inc.		C-30644		

ATTACHMENT #3

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

Weekly Report #	Reporting Period
15	10/5/09 – 10/11/09
16	10/12/09 – 10/18/09
17	10/19/09 – 10/25/09
18	10/26/09 – 11/1/09

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

Report No.	15
Month	Oct-09
Date	10/11/2009
Period	10/5/09 - 10/11/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	<i>NO TOPSOIL WAS PLACED ON THE C PILE.</i>
43b	Material removed from site	<i>3700 YDS / 987 TONS</i>
43d	Cumulative total removed	<i>51600 YDS / 14535 TONS</i>
43c	Volume of screened fines generated	<i>3217 YDS</i>
43e	Cumulative total of screened fines generated	<i>33266 YDS</i>
40, 43f	Load tickets	<i>44</i>
43g	Dedicated equipment on site	<i>1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER</i>
43h	Dedicated personnel on site	<i>AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, MIGUEL ESPARZA</i>
43i	Anticipated resources next week	<i>1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, MIGUEL ESPARZA</i>
44	Update topographic map	<i>NEXT TOPO TO BE CONDUCTED EARLY NOVEMBER</i>
48, 49	Surveillance activities, reports	<i>AARON L (10-7,10-8,10-9), JOSE H (10-5,10-6,10-7,10-9,10-10,10-11), JESSIE P (10-9,10-11), KEN W (10-5,10-8,10-10,10-11)</i>
55	Site emergency plan	<i>NO UPDATE</i>
56	Informational website	<i>TO BE UPDATED WITH NEXT MONTHLY REPORT</i>
	Agency personnel on site	<i>P. RUESCH (10-5, 10-7, 10-8, 10-10) J. HASSAN (10-6), R. ROUDEBUSH (10-8,10-9), C.NEWTON,D. MURRAY, S. DOWNEY (10-8), J. GEVRENOV, S. MOONEY, C. NEWMAN, J. GARL (10-5),E.FLORY (10-7)</i>

Notes: SCREENING, SORTING, REMOVAL ACTIVITIES CONTINUE

Prepared by: KEN WILL 10/11/09

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

Report No.	16
Month	Oct-09
Date	10/18/2009
Period	10/12/09 - 10/18/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	10-18 TOPSOIL PLACEMENT ON SOUTHWEST SLOPES OF C-PILE. SEE NOTES.
43b	Material removed from site	3450 YDS / 899 TONS
43d	Cumulative total removed	55050 YDS / 15434 TONS
43c	Volume of screened fines generated	3048 YDS
43e	Cumulative total of screened fines generated	36314 YDS
40, 43f	Load tickets	35
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, MIGUEL ESPARZA
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, MIGUEL ESPARZA
44	Update topographic map	NEXT TOPO TO BE CONDUCTED EARLY NOVEMBER
48, 49	Surveillance activities, reports	AARON L (10-13,10-16,), JOSE H (10-12,10-15,10-18), JESSIE P (10-16,10-18), KEN W (10-12,10-14,10-15,10-17, 10-18),CARLOS M.(10-15,10-17,10-18), L. NISSLEY (10-18)
55	Site emergency plan	NO UPDATE
56	Informational website	TO BE UPDATED WITH NEXT MONTHLY REPORT
	Agency personnel on site	P. RUESCH (10-13, 10-16, 10-17), D. GAWLINSKI (10-16) R. ROUDEBUSH (10-15), M.SYNDER(10-16), J. GREESON(10-16), J.ROSEBOOM(10-16)

Notes: SCREENING, SORTING, REMOVAL ACTIVITIES CONTINUE

SOIL COVER WAS PLACED AND COMPACTED ONTO THE SOUTHWEST C-PILE SIDE SLOPES AS WELL AS ON TOP OF THE C-PILE TO CONTROL SMOKE AND STEAM. ALL HOT SPOTS WERE IMMEDIATELY ADDRESSED DURING WORKING HOURS AND WITHIN 3 HOURS OF DETECTION BY NIGHT WATCH.

ONE TRAILER LOAD OF "C" OVER'S FROM VIM HAD SMOKE COMING FROM TOP OF TRAILER WHICH WAS DETECTED AND MANAGED AT ELKHART COUNTY LANDFILL BY LANDFILL PERSONNEL ON 10-12-09.

Prepared by: KEN WILL 10/18/09

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

Report No.	17
Month	Oct-09
Date	10/25/2009
Period	10/19/09 - 10/25/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	10-20 TOPSOIL PLACEMENT ON TOP OF C-PILE. SEE NOTES #1 BELOW.
43b	Material removed from site	2750 YDS / 758 TONS
43d	Cumulative total removed	57800 YDS / 16192 TONS
43c	Volume of screened fines generated	2731 YDS
43e	Cumulative total of screened fines generated	39044 YDS
40, 43f	Load tickets	28
43g	Dedicated equipment on site	1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER
43h	Dedicated personnel on site	AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, MIGUEL ESPARZA,
43i	Anticipated resources next week	1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, MIGUEL ESPARZA SEE NOTE #2 BELOW.
44	Update topographic map	NEXT TOPO TO BE CONDUCTED EARLY NOVEMBER
48, 49	Surveillance activities, reports	AARON L (10-19,10-22,10-23), JOSE H (10-20,10-21,10-24,10-25), JOSE M (10-23,10-25), KEN W (10-19,10-20,10-21,10-22,10-23,10-24,10-25),CARLOS M.(10-25).
55	Site emergency plan	NO UPDATE
56	Informational website	TO BE UPDATED WITH NEXT MONTHLY REPORT
	Agency personnel on site	P. RUESCH (10-19, 10-22, 10-24), R. ROUDEBUSH (10-21), J. HASSAN (10-20, 10-22), R. HACKEL (10-21), T RODINO(10-21)

Notes: SCREENING, SORTING, REMOVAL ACTIVITIES CONTINUE

NOTE #1 SOIL COVER WAS STAGED ON TOP OF THE C-PILE TO BE USED ON NW SIDESLOPES FOR CONTROL OF SMOKE AND STEAM. ALL HOT SPOTS WERE IMMEDIATELY ADDRESSED DURING WORKING HOURS AND WITHIN 3 HOURS OF DETECTION BY NIGHT WATCH.

NOTE #2 VIM WILL OBSERVE A HALLOWEEN SCHEDULE FOR NEIGHBORHOOD CHILDREN ON OCT. 30 & 31. NO SCREEN OF "C" PILE ON FRIDAY AFTERNOON AND ALL DAY ON SATURDAY.

Prepared by: KEN WILL 10/25/09

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

Report No.	18
Month	Oct-09
Date	11/1/2009
Period	10/26/09 - 11/1/09

PARAGRAPH	REQUIREMENT	DETAILS
28a, 28b, 43a	Soil and water placement	<i>NO TOPSOIL WAS PLACED ON THE C PILE.</i>
43b	Material removed from site	<i>3150 YDS / 881 TONS</i>
43d	Cumulative total removed	<i>60950 YDS / 17073 TONS</i>
43c	Volume of screened fines generated	<i>3188 YDS</i>
43e	Cumulative total of screened fines generated	<i>42232 YDS</i>
40, 43f	Load tickets	<i>35</i>
43g	Dedicated equipment on site	<i>1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER</i>
43h	Dedicated personnel on site	<i>AARON LEHMAN, JOSE HERNANDEZ, CARLOS MOLINA, MIGUEL ESPARZA</i>
43i	Anticipated resources next week	<i>1400 WARRIOR, 330BL CAT EXCAVATOR, 750 & 450 DOZERS, L120-D LOADER. CARLOS MOLINA, AARON LEHMAN, JOSE HERNANDEZ, MIGUEL ESPARZA</i>
44	Update topographic map	<i>NEXT TOPO TO BE CONDUCTED ON 11/3</i>
48, 49	Surveillance activities, reports	<i>AARON L (10-26,10-27,10-28,10-29,10-31), JOSE H (10-26,10-27,10-28,10-29,10-30,11-1), JOSE M (10-31), KEN W (10-28,10-29,10-31,11-1), CARLOS M.(10-31,11-1), M. ESPARZA(11-1), L NISSLEY (11-1)</i>
55	Site emergency plan	<i>NO UPDATE</i>
56	Informational website	<i>TO BE UPDATED WITH NEXT MONTHLY REPORT</i>
	Agency personnel on site	<i>P. RUESCH (10-29,10-30,10-31), R. ROUDEBUSH (10-26,10-27,10-29), J. PALIN (10-29), J. HASSAN (10-26, 10-28), B. WATKINS (10-27), A. POUGH (10-27), B HONSTAFF (10-28), D. CROLL (10-29)</i>

Notes: SCREENING, SORTING, REMOVAL ACTIVITIES CONTINUE

Prepared by: KEN WILL 11/1/09