

→ SER Casefile Plymouth - (C. Lilek)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

Brady WATC

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711



FID# 246004330

HW FR File

HW/LIC

August 2, 2004

Mr. Michael Gromacki
Cook Composites and Polymers Co.
Director, Quality/Safety/Environment
PO Box 419389
Kansas City, MO 64141-6389

Subject: Release of Financial Responsibility
Cook Composites and Polymers Co.
WID 980615439

Dear Mr. Gromacki:

On July 13, 2004, Cook Composites and Polymers Co. (CCP) submitted a letter to the Department of Natural Resources stating that they intended to terminate Letter of Credit No. S300574 from the BNP Paribas. The letter of credit had been issued to demonstrate financial responsibility for the CCP hazardous waste incinerator and storage facility located at 340 Railroad Street in Saukville Wisconsin.

On June 28, 2002, the Department issued a closure approval letter for the CCP hazardous waste incinerator and storage facility in Saukville. As a result of the closure, the facility is now operating as a large quantity generator, so proof of financial responsibility for closure is no longer needed for this facility. Therefore, the Department hereby releases all of its rights and interest in the following letter of credit and all amendments:

- Irrevocable Letter of Credit No. S300574 issued on July 30, 1999 by the Banque Nationale De Paris with a current value of \$116,257.

Under the state of Wisconsin's open records law (Ch. 335, Laws of 1981), the letter of credit is considered to be part of the public record, and therefore the original cannot be returned. A copy of the original letter of credit marked "Released" is attached.

If you have any questions regarding this matter, please contact Colleen Hellenbrand at 608-267-7515.

Sincerely,

[Handwritten signature of Suzanne Bangert]
Suzanne Bangert, Director
Bureau of Waste Management

Attach.

cc: Pat Brady - SER
Colleen Hellenbrand - WA/



CHICAGO BRANCH
209 SOUTH LA SALLE STREET, SUITE 500
CHICAGO, ILLINOIS 60604-1203

**IRREVOCABLE LETTER OF CREDIT FOR CLOSURE (S300574)
(FOR USE BY HAZARDOUS WASTE FACILITIES)**

State of Wisconsin
Department of Natural Resources
101 South Webster (Box 7921)
Madison, WI 53707

Dear Secretary, Department of Natural Resources :

Effective: August 2, 2003

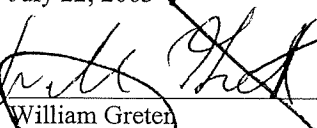
We hereby amend our Irrevocable Letter of Credit No. S300574 issued in favor of the State of Wisconsin Department of Natural Resources as beneficiary, at the request and for the account of Cook Composites and Polymers Co., 340 Railroad Street, Saukville, Wisconsin 53080 as customer, as follows:

- The credit amount increased by \$2,725.00 (Two Thousand Seven Hundred Twenty Five and 00/100 U.S. Dollars) to a new aggregate amount of \$116,257.00 (One Hundred Sixteen Thousand Two Hundred Fifty Seven and 00/100 U.S. Dollars).

All other terms and conditions of this Irrevocable Letter of Credit remain unchanged.

I hereby certify that I am authorized to execute this letter of credit amendment on behalf of BNP Paribas, 209 South LaSalle Street, Chicago, IL 60604, a bank or financial institution which is examined and regulated by a federal agency, or in the case of a bank or financial institution located within the State of Wisconsin, which is examined and regulated by the state or a federal agency.

Attest:
July 22, 2003


William Greter
Assistant Vice President

This credit amendment is subject to the Wisconsin Uniform Commercial Code or the Uniform Customs and Practice for Documentary Credits as most recently published by the International Chamber of Commerce. In the event of inconsistency, the Wisconsin Uniform Commercial Code shall apply.

Released: 8/2/2004
CDH



BNP PARIBAS

BNP PARIBAS CHICAGO BRANCH
209 S. LA Salle STREET, 5TH FLOOR
CHICAGO, ILLINOIS 60604 - 1203
TIX: 253187 SWIFT: BNPAUS44 TEL: (312) 977-2200

Enc. ~ SF

IRREVOCABLE LETTER OF CREDIT FOR CLOSURE (S300574)
| (FOR USE BY HAZARDOUS WASTE FACILITIES) |

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
101 SOUTH WEBSTER (BOX 7921)
MADISON, WI 53707

DEAR SECRETARY, DEPARTMENT OF NATURAL RESOURCES

EFFECTIVE AUGUST 2, 2002

WE HEREBY AMEND OUR IRREVOCABLE LETTER OF CREDIT NO. S300574
ISSUED IN FAVOR OF THE STATE OF WISCONSIN DEPARTMENT OF NATURAL
RESOURCES AS BENEFICIARY, AT THE REQUEST AND FOR THE ACCOUNT OF
COOK COMPOSITES AND POLYMERS CO., 340 RAILROAD STREET, SAUKVILLE,
WISCONSIN 53080 AS CUSTOMER, AS FOLLOWS:

THE CREDIT AMOUNT IS INCREASED BY \$2,553.00 (TWO THOUSAND
FIVE HUNDRED FIFTY THREE U.S. DOLLARS AND 00/100) TO A NEW
AGGREGATE AMOUNT OF \$113,532.00 (ONE HUNDRED THIRTEEN THOUSAND
FIVE HUNDRED THIRTY TWO U.S. DOLLARS AND 00/100).

ALL OTHER TERMS AND CONDITIONS OF THIS LETTER OF CREDIT REMAIN
UNCHANGED.

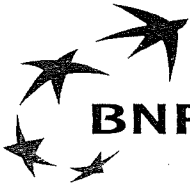
I HEREBY CERTIFY THAT I AM AUTHORIZED TO EXECUTE THIS LETTER
OF CREDIT AMENDMENT ON BEHALF OF BNP PARIBAS, 209 SOUTH LA SALLE
STREET, CHICAGO, IL 60604, A BANK OR FINANCIAL INSTITUTION
WHICH IS EXAMINED AND REGULATED BY A FEDERAL AGENCY, OR IN THE
CASE OF A BANK OR FINANCIAL INSTITUTION LOCATED WITHIN THE
STATE OF WISCONSIN, WHICH IS EXAMINED AND REGULATED BY THE
STATE OR FEDERAL AGENCY.

ATTEST:
JULY 18, 2002

[Signature]
CONSTANTIN FRENCH
ASSISTANT VICE PRESIDENT

THIS CREDIT AMENDMENT IS SUBJECT TO THE WISCONSIN UNIFORM
COMMERCIAL CODE OR THE UNIFORM CUSTOMS AND PRACTICE FOR
DOCUMENTARY CREDITS AS MOST RECENTLY PUBLISHED BY THE INTER-
NATIONAL CHAMBER OF COMMERCE, IN THE EVENT OF INCONSISTENCY,
THE WISCONSIN UNIFORM COMMERCIAL CODE SHALL APPLY.

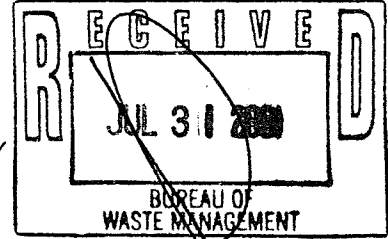
Released: 8/2/2004
CDH



BNP PARIBAS

CHICAGO BRANCH
209 SOUTH LA SALLE STREET, SUITE 500
CHICAGO, ILLINOIS 60604-1203
TELEX: 82995 • SWIFT ADDRESS: BNPAUS44 • TELEPHONE: (312) 977-2200

Irrevocable Letter of Credit for Closure (S300574)
(For Use by Hazardous Waste Facilities)



State of Wisconsin
Department of Natural Resources
101 South Webster (Box 7921)
Madison, WI 53707

Dear Secretary, Department of Natural Resources:

We hereby amend our Irrevocable Letter of Credit No. S300574 issued in favor of the State of Wisconsin Department of Natural Resources as beneficiary, at the request and for the account of Cook Composites and Polymers Co., 340 Railroad Street, Saukville, Wisconsin 53080 as customer, as follows:

- The credit amount is increased by \$2,283.00 (Two Thousand Two Hundred Eighty Three and 00/100 U.S. Dollars) to a new aggregate amount of \$110,979.00 (One Hundred Ten Thousand Nine Hundred Seventy Nine and 00/100 U.S. Dollars).

All other terms and conditions of this irrevocable letter of credit remain unchanged.

I hereby certify that I am authorized to execute this letter of credit amendment on behalf of BNP Paribas, 209 South LaSalle Street, Chicago, IL 60604, a bank or financial institution which is examined and regulated by a federal agency, or in the case of a bank or financial institution located within the State of Wisconsin, which is examined and regulated by the state or a federal agency.

Attest:
July 30, 2001

Jeffrey Wykowski
Assistant Vice President

This credit amendment is subject to the Wisconsin Uniform Commercial Code or the Uniform Customs and Practice for Documentary Credits as most recently published by the International Chamber of Commerce. In the event of inconsistency, the Wisconsin Uniform Commercial Code shall apply.

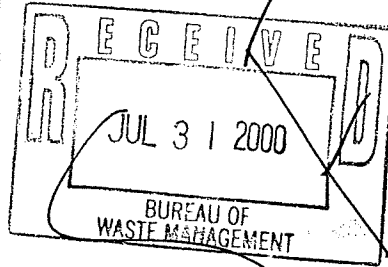
Released: 8/2/2004
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BNP PARIBAS

CHICAGO BRANCH
209 SOUTH LA SALLE STREET, SUITE 500
CHICAGO, ILLINOIS 60604-1203
TELEX: 82995 • SWIFT ADDRESS: BNPAUS44 • TELEPHONE: (312) 977-2200

Irrevocable Letter of Credit for Closure (S300574)
(For Use by Hazardous Waste Facilities)



State of Wisconsin
Department of Natural Resources
101 South Webster (Box 7921)
Madison, WI 53707

Dear Secretary, Department of Natural Resources:

We hereby amend our Irrevocable Letter of Credit No. S300574 issued in favor of the State of Wisconsin Department of Natural Resources as beneficiary, at the request and for the account of Cook Composites and Polymers Co., 340 Railroad Street, Saukville, Wisconsin 53080 as customer, as follows:

- The credit amount is increased by \$1,607.00 (One Thousand Six Hundred Seven and 00/100 U.S. Dollars) to a new aggregate amount of \$108,696.00 (One Hundred Eight Thousand Six Hundred Ninety Six and 00/100 U.S. Dollars).
- All previous references to Banque Nationale de Paris are now deemed to be references to BNP Paribas.

All other terms and conditions of this irrevocable letter of credit remain unchanged.

I hereby certify that I am authorized to execute this letter of credit amendment on behalf of BNP Paribas, 209 South LaSalle Street, Chicago, IL 60604, a bank or financial institution which is examined and regulated by a federal agency, or in the case of a bank or financial institution located within the State of Wisconsin, which is examined and regulated by the state or a federal agency.

Attest:
July 27, 2000



Jeffrey Wykowski
Assistant Vice President

This credit amendment is subject to the Wisconsin Uniform Commercial Code or the Uniform Customs and Practice for Documentary Credits as most recently published by the International Chamber of Commerce. In the event of inconsistency, the Wisconsin Uniform Commercial Code shall apply.

Released: 8/2/2004
COH



BANQUE NATIONALE DE PARIS

CHICAGO BRANCH

209 SOUTH LASALLE STREET, 5TH FLOOR
CHICAGO, ILLINOIS 60604-1203

TELEX: 62995 • SWIFT ADDRESS: BNPAUS44 • TELEPHONE: (312) 977-2200

Irrevocable Letter of Credit for Closure (S300574)
(For Use by Hazardous Waste Facilities)

State of Wisconsin
Department of Natural Resources
101 South Webster (Box 7921)
Madison, WI 53707

RECEIVED

Dear Secretary, Department of Natural Resources,

We hereby establish our Irrevocable Letter of Credit No. S300574 in favor of the State of Wisconsin Department of Natural Resources as beneficiary, at the request and for the account of Cook Composites and Polymers Co., 340 Railroad Street, Saukville, Wisconsin 53080 as customer, up to the aggregate amount of One Hundred Seven Thousand and Eighty-Nine U.S. dollars (\$107,089.00) available on presentation of:

1. A sight draft, bearing references to this letter of credit no. S300574, together with
2. A signed statement declaring that the amount of the draft is payable pursuant to regulations issued under the authority of section 289.41, Wis. Stats., as amended.

Whereas the customer owns a hazardous waste facility named Cook Composites And Polymers Co., EPA Identification Number WID980615439, located in Section 35, Township 11, Range 21E, Village of Saukville, Ozaukee County, Wisconsin, and that facility is subject to either the closure requirements of the plan of operation approval issued by the beneficiary, or the closure requirements of section NR 660.15, 660.16, and 685.05, Wis. Adm. Code, whichever is applicable to the facility.

This letter of credit is written to provide proof of financial responsibility pursuant to section 289.41, Wis. Stats., and section NR 685.07, Wis. Adm. Code as amended, to ensure compliance with the closure requirements of the plan of operation approval and any amendments thereto or the closure requirements in section NR 660.15, 660.16 and 685.05, Wis. Adm. Code, whichever is applicable, and shall inure to the benefit of the beneficiary.

(Continued on page 2)

Released: 8/2/2004
CDH

RECEIVED

AUG 02 1999

OFFICE OF THE
SECRETARY



BANQUE NATIONALE DE PARIS

CHICAGO BRANCH

209 SOUTH LASALLE STREET, 5TH FLOOR
CHICAGO, ILLINOIS 60604-1203

TELEX: 82995 • SWIFT ADDRESS: BNPAUS44 • TELEPHONE: (312) 977-2200

Letter of Credit No. S300574

Page 2

This letter of credit is effective as of August 2, 1999, and shall expire on August 2, 2000, except that this letter of credit shall automatically renew on each successive termination date until all of the closure requirements have been completed, unless we elect to cancel this letter of credit. In the event we wish to cancel this letter of credit, we shall provide notice in writing of our intent to cancel to the beneficiary by registered or certified mail not less than 120 days prior to the end of the current term of this letter of credit. In the event you are so notified and the customer fails to deliver to the beneficiary a replacement letter of credit or other proof of financial responsibility under section 289.41, Wis. Stats., we will pay to the beneficiary any unused balance of this letter of credit on the termination date upon presentation to us of the beneficiary's draft drawing said unused balance.

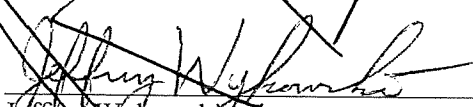
Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us.

All or any part of this letter of credit may be drawn upon by the beneficiary, upon written request of the Secretary of the beneficiary, and in accordance with section NR 685.07, Wis. Adm. Code, as amended, to be used to carry out the closure requirements of the plan of operation approval and any amendments thereto or the closure requirements of sections NR 660.15, 660.16. and 685.05, Wis. Adm. Code, if applicable, if the customer or any successor in interest fails to do so.

I hereby certify that I am authorized to execute this letter of credit on behalf of Banque Nationale de Paris, 209 South LaSalle Street, Chicago, IL 60604, a bank or financial institution which is examined and regulated by a federal agency, or in the case of a bank or financial institution located within the State of Wisconsin, which is examined and regulated by the state or a federal agency.

Attest:

July 30, 1999



Jeffrey Wykowski
Assistant Vice President

This credit is subject to the Wisconsin Uniform Commercial Code or the Uniform Customs and Practice for Documentary Credits as most recently published by the International Chamber of Commerce. In the event of inconsistency, the Wisconsin Uniform Commercial Code shall apply.

Released: 8/2/2004
CPH