

## **Clyde Employee letter - 11 - 14- 2012**

### **To be printed in this morning's "The Link," a daily newsletter that goes out to employees**

Yesterday evening we saw news reports that a group of local residents has hired a lawyer to represent their interests related to the USEPA test results from the former Whirlpool Park (which we sold in 2008). We believe they are planning a press conference today at 1:00 p.m.

Since being notified by the USEPA of their test results, Whirlpool has worked diligently and persistently with the current owner of this property, his lawyer and has even solicited the help of the USEPA to gain access to the site to conduct appropriate surveys and additional testing in partnership with the state and federal environmental agencies. However, the property owner and his lawyer have denied all of our requests for access to the site under reasonable conditions.

We are hopeful that the voices of these families will encourage the property owner and his lawyers to allow Whirlpool onto the property to begin the site characterization in coordination with state and federal authorities. We are prepared to move forward immediately with the first steps of the evaluation once granted access to the property.

Below are some of the actions we have taken to resolve this issue:

- Whirlpool made contact with the property owner within days of receiving notification from the USEPA of their test results. Since then we have had continuous, respectful contact with he and his lawyers requesting permission to enter the property, and have been denied access to the site under reasonable conditions.
- As we had communicated to the USEPA, timely access to the site would have allowed us to complete the first steps of the environmental review by mid to late September.
- We have been working on an ongoing basis, and in a transparent manner, with USEPA and Ohio EPA.

Both agencies have indicated their support for our working with the Ohio EPA under their Voluntary Action Program (VAP).

- During our conversations with state and federal officials, and with the property owner and his attorney, we have been clear that once testing and validation were complete, we would, where appropriate, accept all responsibility and expenses for remediation of those materials found to be placed on the site during our ownership. We would complete any required cleanup consistent with practices of the day.
- In August, we set up a phone line for community members to contact us if they had questions.
- We have reached out to city and county officials, along with state and federal authorities.
- We have cooperated fully with the USEPA on six Whirlpool-owned sites, which were found to be within compliance standards.

We continue to work to gain access to the site to conduct the studies under the Ohio EPA

Voluntary Action Program:

- We have asked the USEPA to intervene and compel the property owner to allow us access to the site.
- We have discussed the possibility of getting a USEPA mediator assigned to help facilitate the discussions with the property owner and his lawyer so we may move forward with our environmental study.
- To help speed up the process, we have proposed to the property owner and his lawyer the possibility of our repurchasing the property.

Meanwhile, it is important to understand, that we truly believe there is no current exposure risk posed by this substance. As stated in USEPA materials, PCBs are a very stable substance that does not readily migrate, and the use and disposal of PCBs was a common practice, and within the laws and standards of the 1950s and 1960s.

We continue to work toward gaining access to the site, and will continue to work with state and federal agencies to abide by the law, and address the issues on the site until they are satisfactorily resolved in the best interest of the community and its residents.

Sincerely, Dan O'Brien, Plant Leader , Whirlpool Clyde