

## E5 Projects Portfolio

*Auditing, Permitting, Risk Assessment, Compliance & Technology*



### **Project: Facility Relocation and Construction** **Client: Furniture manufacturer**

E5, Inc. assisted in the major facility relocation of a wood furniture manufacturer, which involved the securing of construction and operating permits for a new 150,000 square foot facility. Client is a \$30 million company that manufactures oak bedroom furniture lines for large retail establishments, such as, Sears Homelife. Client relocated and consolidated its entire manufacturing operations, including, mill, assembly and finishing operations comprising multiple spray booths, ovens and conveyor lines. E5, Inc. saved its client over \$1.5 million in relocation costs by developing an innovative methodology for BACT and LAER compliance. E5, Inc. negotiated with SCAQMD and EPA to develop a BACT/LAER equivalency method using super low VOC coating materials. E5, Inc. advised its client through the regulatory process and secured approval for the construction of the new facility, while establishing precedent for use of super low VOC coatings as an equivalent means to satisfy stringent New Source Review requirements.

### **Project: Construction of Pollution Treatment and Control Facilities** **Client: Organic chemicals manufacturer**

E5, Inc. was contracted to secure permits to construct new wastewater treatment and air pollution control facilities for the Los Angeles plant of a major chemical products manufacturing company. Our client is an international chemical company with operations spanning 9 countries and annual sales over \$2.5 billion. Client manufactures a broad catalogue of organic intermediates for a wide range of applications such as pharmaceuticals, agrochemicals, vitamins, food and feedstuff, dyes and pigments, adhesives and fragrances. Our scope involved developing compliance strategies, performing health risk assessments, specifying pollution control, negotiating with regulatory authorities, conducting engineering evaluations and collaborating with contractors.

### **Project: Onsite Compliance Management and Programs Development** **Client: Medical device company**

E5, Inc. was contracted to develop, implement and manage the Environmental, Health and Safety operations for a leading medical device company. Our client is a billion dollar public company, and leading manufacturer of innovative medical devices, including, pacemakers, implantable cardioverter defibrillators, catheter products and cardiac surgical technologies. Client operates 15 manufacturing facilities around the world, and its products are sold in more than 120 countries. E5, Inc. assisted manufacturing facilities located in California and Arizona. E5, Inc. provided onsite professional staff, developed compliance management programs, secured operating permits, conducted inspections,

established recordkeeping protocols, prepared reports, interfaced with regulatory authorities and advised senior corporate managers and executives.

**Project: Resolution of Federal Clean Air Act Litigation**  
**Client: Furniture company**

E5, Inc. represented a furniture company in resolving a federal litigation initiated by the U.S. Environmental Protection Agency (EPA) and U.S. Department of Justice (DOJ) involving violations of the federal Clean Air Act. EPA and DOJ attorneys jointly sought damage claims and injunctive relief exceeding \$1,000,000 in fines and compliance costs. Our client manufactures bedroom and office furniture, which are sold through retail establishments throughout the United States. Facility operations consist of rough mills, assembly, spray finishing, adhesive applications, packaging and shipping. E5, Inc. was hired to develop facility-wide compliance strategies, secure construction permits, negotiate with regulatory authorities, specify air pollution control technologies, advise corporate counsel, develop recordkeeping protocols and implement a compliance management program. As a result, E5, Inc. successfully negotiated a resolution with federal attorneys, which prevented the shut down of our client's business and saved our client an estimated \$1,000,000 in compliance costs and damages.

**Project: Variance Protection for Cogeneration System**  
**Client: Paper mill**

E5, Inc. was retained by a containerboard and recycling facility to prevent a shut down of its plant, secure variance protection from regulatory authorities and develop compliance strategies for its manufacturing operations. Our client holds leading market positions in the production of containerboard (including white top linerboard and recycled medium), corrugated containers, industrial bags and clay-coated recycled boxboard; and is the world's largest paper recycler. In addition, our client is a leading producer of folding cartons, solid bleached sulfate, displays, paper tubes and cores and labels. As an essential component of its mill, our client operates a cogeneration plant driven by a gas turbine engine, which supplies steam for plant operations and provides operating capital of approximately \$100,000 per month from the sale of excess electricity. E5, Inc. developed compliance strategies, prepared technical documents, analyzed alternative scenarios, provided regulatory representation, petitioned for variance relief and negotiated with authorities. As a result, E5 successfully assisted our client in avoiding a shut down of its plant, and continue the operation of its cogeneration system.

**Project: Audit and management of polyester resin operations**  
**Client: Spa manufacturer**

E5, Inc. was contracted to develop, implement and audit an environmental management program for a major manufacturer of hot tubs and spas. Our client is a leading international manufacturer and distributor of high quality spas, which are sold in more than 550 retail locations in over 67 countries. Our client operates thermal forming equipment, polyester resin application equipment, foam spraying, dip tanks, cutting equipment and air pollution control facilities. E5, Inc. implemented a management program in which the client receives dedicated professional support, strategy assessments, reporting

services, compliance assistance, permitting and advisory support for its senior managers and executives.

**Project: Pollution Control Specification and Regulatory Negotiations**

**Client: Investment Firm**

E5, Inc. was contracted by an investment firm to negotiate with local and federal regulatory authorities concerning one of its portfolio companies. Our client is a wholly owned subsidiary of a diversified international financial services firm with nearly \$5 billion in assets under management. Our client is a full service investment firm with holdings in various companies and industries, such as, Bank of America, 3M Corporation, McGraw Hill Company, Amgen, Medtronic Inc., Pfizer Inc., Cisco Systems and Merck & Company. The portfolio company failed to properly secure construction and operating permits, and as a result, local and federal prosecutors sought damages and injunctive relief exceeding \$1.5 million in compliance costs and fines. E5, Inc. was retained to develop strategies, advise corporate counsel, specify pollution control applications, secure construction permits, seek agency approvals and negotiate with regulatory authorities. E5, Inc. completed successful regulatory negotiations, which prevented a shut down of the portfolio company and saved the company in excess of \$1 million in compliance costs.

**Project: Facility Relocation and Environmental Risk Assessment**

**Client: Clinical laboratory services company**

E5, Inc. was hired by a clinical laboratory company to conduct due diligence and assist in lease negotiations to relocate one of its major laboratories. Our client is California's largest provider of clinical laboratory services with full-service regional labs in Los Angeles, Sacramento and San Jose. Based in the Los Angeles area, our client conducts testing on roughly 50,000 patients each business day and employs over 3,500 skilled lab and administrative professionals. Client sought to relocate its Los Angeles clinical lab facilities, and required expert advisory support regarding environmental risks associated with the proposed leased facilities. Lease negotiations were complicated due to prior subsurface contamination of soil and groundwater, ongoing remediation activities and regulatory oversight at the proposed site. E5, Inc. conducted due diligence reviews, analyzed technical data, assessed remediation technologies, collaborated with interested parties and advised client during its lease negotiations.

**Project: CERCLA Superfund Representation**

**Client: Ceramic capacitor manufacturer**

E5, Inc. assisted a ceramic capacitor manufacturer in its negotiations with Potentially Responsible Parties (PRPs) relating to a CERCLA Superfund action initiated by the U.S. Environmental Protection Agency. Our client is a well-recognized leading supplier of multilayer ceramic capacitors and passive ceramic components to computer, telecommunication, contract manufacturing, industrial, automotive and military markets. The Omega Chemical Site was a hazardous waste recycling facility that was shut down by regulatory authorities in 1995. Environmental investigations discovered subsurface contamination of soil, and a contaminated groundwater plume extending 2 miles down gradient. E5, Inc. facilitated negotiations, evaluated regulatory options and provided advisory support to determine appropriate

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responses to federal authorities and an organized group of PRPs seeking legal contribution in excess of \$10,000,000 for site remediation costs.

**Project: Emission Credit Market Representation**

**Client: Brick products manufacturer**

E5, Inc. assisted a major brick products company in qualifying, negotiating and securing in excess of 250,000 pounds of NOx emission credits for its manufacturing operations. Since being founded in 1950, our client has become a leading manufacturer and supplier of commercial, common, paving, veneer and crushed brick products. Over the past several years, our client has overcome its competition by investing in its facilities and modernizing its equipment, and as a result, is able to support a growing market for its brick products. This growth is challenging due to certain environmental constraints imposed by permitting, emission caps and other requirements. E5, Inc. was retained to assist in our client's growth, while helping it maintain compliance with applicable requirements. E5, Inc. develops compliance strategies, interacts with authorities, conduct technical analysis, review technology and prepare regulatory documentation. In addition, E5, Inc. provides market representation services, in which facility demands and credit markets are closely monitored to ensure client growth needs are being satisfied.

**Project: Multi-Campus Audit and Title V Program**

**Client: Private colleges**

E5, Inc. assisted a group of private colleges in conducting a multi-campus compliance audit program and securing a regulatory exemption from federal Title V requirements. Our client consisted of six independently operated private colleges, including, one graduate level institution. Our client operates central steam generation facilities, maintenance activities, boilers, emergency generators and other equipment. E5, Inc. reviewed emissions data from several hundred point and fugitive sources, performed compliance evaluations for up to seventy-five permitted equipment, audited environmental records, reports and other documentation, researched applicable rules and provided technical recommendations. In addition, E5, Inc. petitioned and negotiated with regulatory authorities for an exemption from Title V for each college campus. As a result, E5, Inc. successfully secured a permanent exemption for our client, which is estimated to have saved in excess of \$100,000 in compliance and management costs.

**Project: Due diligence for Biotechnology Campus Acquisition**

**Client: Private investment group**

E5, Inc. assisted a private investment group in making a \$30 million purchase of developed land, which was planned to serve as a campus of affiliated biotechnology and medical device companies. The principal biotechnology firm develops, manufactures and markets implantable neurostimulation devices, which are bionic technologies that treat neurological conditions. E5, Inc. was hired to review technical documents, conduct a Phase II soil and groundwater investigation, provide advisory support and assist in negotiations of key environmental components of the purchase agreement. In addition, E5, Inc. was retained to provide post-acquisition advisory services to support efforts in securing No Further Action (NFA) letters and closure of certain investigations by the regional water quality control board.

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**Project: Pollution Control Facilities and Source Testing**  
**Client: Furniture Company**

E5, Inc. represented a furniture company in modifying operating permits and source testing of pollution control equipment to accommodate business changes and complete a corporate relocation. Our client is a \$50 million manufacturer and importer of fine wood furniture serving major hotel chains and retail establishments throughout the United States. Subsequent to a relocation of its business, E5, Inc. was hired to negotiate with regulators and devise a permit compliance strategy to enable the client to grow its business, while meeting stringent operational requirements. Existing operating permits required our client to construct and operate air pollution control facilities, which would have cost our client in excess of \$1 million in capital and maintenance. E5, Inc. developed protocols for VOC testing, prepared technical documents, collaborated with coating vendors, devised compliance strategies using super low VOC materials and negotiated with regulators. As a result, E5, Inc. successfully negotiated permit modifications, which provided our client with greater operational flexibility and savings exceeding \$1 million.

**Project: Air Toxics Analysis and Representation**  
**Client: Industrial Association**

E5, Inc. advised an association of industrial manufacturers and suppliers during important rulemaking concerning the regulation of air toxic emissions. The proposed rule placed stringent control and operating requirements upon the emissions of specific toxic chemicals, and anticipated to impact many industrial sectors. Our client is comprised of thousands of small and medium sized businesses within various industrial sectors, including, printing, furniture, autobody and metal finishing. E5, Inc. analyzed rule requirements, conducted an impact study, evaluated compliance costs, negotiated with regulatory authorities and provided advisory support. Due to these efforts, the association was able to properly assess potential rule impacts, determine appropriate strategies and negotiate important rule provisions for its membership.

**Project: Health Risk Assessment**  
**Client: Flexible Foam Packaging**

E5, Inc. assisted a flexible foam manufacturer in resolving several key air quality regulatory and technology issues surrounding its foam manufacturing process and air pollution control systems. Client is a multi-billion dollar per year manufacturer and supplier of various consumer and industrial products, including, air filter media, bedding, carpet cushion, flexible foam, expanded polystyrene products, polyester fiber and tire products. Our client's facility is subject to various local permitting, Rule 1402 risk reduction and AB 2588 reporting requirements. Client was facing a pending regulatory deadline to make process modifications which would reduce health risks associated with its process and emissions of toluene diisocyanates. E5, Inc. successfully negotiated with the air pollution agency to modify client's risk reduction strategy, secure new operating permits and obtain approval for its facility-wide Health Risk Assessment. As a result, our client implemented a more cost effective compliance strategy, and achieved greater flexibility in its operations.