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October 7, 1999

VIA FAX & CERTIFIED MAIL
Ted Bazenas, On Scene Coordinator
U.S. Environmental Protection Agency,
Region 1-New England, Site Evaluation & Response Section II
1 Congress street
Suite 1100, Mail Code HBR
Boston, MA 02203

Re: Response to Notice of Potential Liability for Centredale Manor Superfund Site, North Providence, Rhode Island

Dear Mr. Bazenas:

I write in response to the September 15, 1999 letter providing notice that the EPA considers Brook Village Associates Limited Partnership ("Brook Village") a "potentially responsible party" with respect to clean-up costs concerning the Centredale Manor Superfund Site (the "Site"). That letter also made demand for payment of certain costs incurred by the EPA to date with respect to response actions performed at the Site and invited Brook Village to perform or finance certain removal activities which EPA has not already completed. This letter also responds to the invitation made at the September 30,1999 meeting by EPA Senior Enforcement Counsel, Catherine Garypie, to enter into settlement negotiations with EPA regarding Brook Village's potential liability concerning the Site.

As you are aware, Brook Village provides housing to the elderly under a financing program administered by the Rhode Island Housing and Mortgage Finance Corporation ("RIHFC"). Currently, Brook Village is in discussion with RIHFC, seeking to reposition the property and refinance the RIHFC-held mortgage, all in an effort to improve the property and continue to provide affordable housing for the next twenty or so years. In this context, it is vital that the environmental conditions that exist within the boundaries of the Brook Village property be addressed as rapidly as possible, even if it means doing so separately from the problems on other sites. For that reason, Brook Village has cooperated to date with EPA activities on its property and has shared investigative information with EPA, and intends to continue to do so.

With that goal in mind, Brook Village is willing to enter into negotiations with EPA concerning voluntary payment by Brook Village of a reasonable portion of the response costs and is willing to explore voluntarily performing or financing a portion of needed response activities.

Brook Village does so without agreeing that it is legally liable for payment of any past or future response costs, and without waiving any of its rights and defenses under CERCLA, or other applicable law, including Brook Village's status as an "innocent landowner." In addition, Brook Village expressly reserves the right to seek contribution from other persons with respect to any costs incurred by Brook Village concerning the Site.

You may direct future communications concerning Brook Village to me at the address and telephone numbers listed above.

Sincerely,

Howard J. Castleman

Howard J. Castleman

HJC/mk:ltr to Ted Bazenas 10-5.doc

cc: Sharon Fennelly, EPA Enforcement Coordinator
Catherine Garypie, Esq., EPA Senior Enforcement Counsel
Michael Milito, Esq., RIHFC General Counsel