

September 6, 2011

Via E-mail and Certified Mail,
Return Receipt Requested

Eve Stolov Vaudo, Esq.
Senior Enforcement Counsel
USEPA Region 1 - New England
5 Post Office Square
Mail Code OES04-4
Boston, MA 02109-3912

Re: Centredale Manor Restoration Project Superfund Site

Dear Eve:

We are writing on behalf of Emhart Industries, Inc. ("Emhart") to bring to your attention four issues regarding the Centredale Manor Restoration Project Superfund Site (the "Site") that currently remain outstanding. Being mindful of the fact that you are on vacation, we ask that you turn to these items on your return as soon as possible.

First, in our recent e-mail correspondence and conference call with you, we requested that you provide us with an updated version of the Administration Record. Since that time, it has come to our attention from our review of EPA's website that nine separate "Administrative Records" are listed for Centredale. These nine ARs appear to be in addition to the Administrative Record dated June 4, 2010 that we received from Anna Krasko and which we understand currently is being updated. As CERCLA § 113(k)(1) and NCP § 300.800 seem to contemplate the establishment of a single administrative record supporting EPA's remedy selection, we ask that you consolidate the various existing administrative records into one. Given the very short period of time remaining prior to the expected date of EPA's issuance of the PRAP, we are preparing to file as a protective measure a formal Freedom of Information Act ("FOIA") request, a copy of which we will provide to you under separate cover.

Second, we recently have corresponded with you via e-mail and voicemail seeking to confirm a date to meet with you to discuss substantial additional documentation that we have compiled regarding the liability of the potentially responsible parties that already have been noticed by EPA, as well as that of additional PRPs that have not yet been noticed by EPA but which should receive Special Notice Letters following the issuance of the Record of Decision. Subject to your final confirmation, we will plan to meet with you at your office in Boston on Monday, September 26, 2011.

Third, we have requested that you provide to us an updated response cost summary for work performed by or on behalf of EPA at the Site. We understood from our last call with you

Superfund Records Center
SITE: Centredale
BREAK: 11-9
OTHER: 506559



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that the cost summary had been completed through July, 2011, and that you would be providing that summary to us. We await receipt of that document.

Finally, over the last several months, LEA has submitted two proposals on behalf of Emhart to conduct additional investigative work necessary to define the lateral and vertical extent of contamination at the Site, as required by the NCP. With respect to the "source area," LEA has proposed to obtain additional data regarding (1) the potential leaching of Constituents of Concern ("COCs"), and (2) the possible presence of Principal Threat Waste ("PTW")/buried waste material, with the goal of permitting EPA to better evaluate the remedial alternatives for this area. We have concluded that this additional data is absolutely critical to EPA's ability to select an appropriate remedy for soils and groundwater in the "source area" at the Site. We request in the strongest possible terms that EPA reconsider its apparent decision not to permit this work to go forward and that, if EPA fails to reconsider its decision, that Emhart be provided a written response fully detailing and documenting the base(s) therefore, so that the Administrative Record will be absolutely clear on this point.

If you wish to discuss any of the foregoing, please contact me directly.

Regards,


Jerome C. Muys, Jr.

Direct line: 202 370 3924
jcmuys@sandw.com

cc: Ms. Linda H. Biagioni
Jeffrey M. Karp, Esq.
L. Elise Dieterich, Esq.
Van P. Hilderbrand, Esq.