

NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

617 439-2000

TELEX: 94-0790 TELECOPIER: 617 973-9748

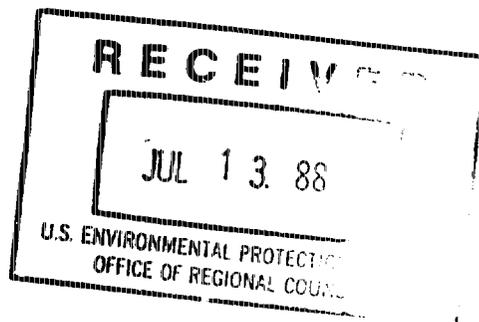
Site: New Bedford
Book: 53
Date: 5/27/88

COPY

July 13, 1988
11478-26

BY HAND

Charles C. Bering, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 1
JFK Federal Building
Boston, MA 02203



Re: U.S. et al. v. AVX Corporation et al.

Dear Charlie:

This will confirm my telephone call to you of Monday, July 11, in which I advised you that Richard J. Hughto, Ph.D., Rizzo Associates, Inc., 235 West Central Street, Natick, Massachusetts 01760, (617) 651-3401, has been authorized to request and obtain documents on behalf of the defendants in the New Bedford Harbor litigation in lieu of Everest Consulting Associates, Inc. Accordingly, you will be hearing from Rick in the near future regarding requests for additional documents. We request that you address your future communications on the availability of documents to him. One item that the defendants request at this time is the specifications for the construction of the CDF/CAD aspect of the pilot dredging program.

This will also confirm the defendants' request that we schedule a meeting to discuss both the intercalibration study and our request for on-site monitoring and split sampling during the pilot dredging program, including the pre-operational phases currently ongoing, at your earliest convenience. We find it very difficult to make the necessary

Charles C. Bering, Esq.
July 13, 1988
Page 2

arrangements for the activities we propose to undertake during the pilot dredging program without further information, particularly as to the schedule and the scope of EPA's sampling program. As we discussed on Monday, if we can meet this week it would be most helpful. Please give me, Leslie Ritts or Rick Hughto, who will also be involved in this project, a call at any time to discuss this.

Very truly yours,



Mary K. Ryan

MKR:jap

cc: Ellen Mahan, Esq. (Federal Express)
Richard J. Hughto, Ph.D.
Paul B. Galvani, Esq.
Wendy Jacobs, Esq.
David A. McLaughlin, Esq.
Howard T. Weir, Esq.
Leslie Ritts, Esq.

0487c