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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

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July 14, 1989

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Re: Bedford Harbor --- Draft Hotspot Feasibility Study

Dear Counsel:

This is in response to your letter of July 11, concerning the draft of the hotspot feasibility study which we sent to you on June 9, 1989. As we have already made clear, that draft was preliminary. It was released in advance of completion of all portions of the text and of all the supporting documentation, and we did not expect to receive comments on it. A completed draft will be released for public comment soon.

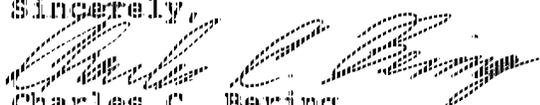
One of the documents which you describe as unavailable, the results of the Corps of Engineers Hot Spot sediment sampling program, has been transmitted to you on two separate occasions, March 31, 1988, and January 31, 1989. Copies of the transmission letters are enclosed.

The other documents you cite were not complete at the time the draft was sent to you, the Army Corps of Engineers' report on

the Pilot Dredging Program, the Endangerment Assessment being prepared by E.C. Jordan, and the report on Radian's bench tests. These documents are close to completion and will be released before a draft feasibility study is released for public comment.

The June 9 draft was released in order to allow you to review the text as it stood at that time, and begin preparing to comment on the draft to be released for public comment. It is unconvincing for you to claim that "it is impossible...to begin any meaningful review and assessment" of the material which has been made available. Virtually all of the data on which EPA will be relying has already been completed and produced, with the exception of the results of the pilot dredging study. You have had abundant opportunities to inform yourselves concerning the issues to be addressed in EPA's choice of remedy. The June 9 text is complete in all of the sections that concern the alternatives, with the exception of the ARARS portion. There is no reason why you cannot begin to review and assess this material and the issues which are discussed in the draft.

Sincerely,



Charles C. Bering
Assistant Regional Counsel

cc: Ellen Mahan
Nancy Preis