

New Bedford
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NUTTER, McCLENNEN & FISH

FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MASSACHUSETTS 02210

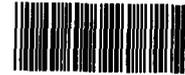
(617) 973-9700

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May 6, 1987
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SDMS DocID **64757**

Susan Svirskey
EPA Region 1
John F. Kennedy Federal Building
Boston, MA 02203

Re: EPA Information Request

Dear Ms. Svirskey:

Reference is made to a recent announcement in the Federal Register, Volume 52, at 5578, February 25, 1987, concerning "Uncontrolled Hazardous Waste Sites; Availability of Documents and Information." According to this notice, a copy of which is attached, available documents and information covered by this notice may include "the identity, quantity, physical state, concentration, and containment of toxic substances at a site and their potential effect on ground water, surface water, drinking water, food chain, soil, and the air in the vicinity of the site." This information is available whether or not contained in preliminary assessments (PA) and Site Inspection (SI) reports (along with the instructions for the PA and SI reports if completed). In addition, "sampling data on a site that have been verified as analytically accurate by EPA are routinely available to the public upon request. Such verified sampling data may include information about the identity and concentrations of toxic substances at a site."

I hereby request to be provided with any documents or information covered by this notice with respect to the New Bedford Harbor site, the Sullivan's Ledge Landfill site, and the New Bedford Landfill site. In addition, with respect to the Sullivan's Ledge site, which has already been ranked for inclusion on the NPL, I additionally request HRS drafts or other documents generated in the Hazard Ranking System evaluation process, since that process is now complete.

For purposes of this request, the term "document" includes, with all limitation, all correspondence, memoranda, inter and intra agency communications, minutes, reports, notes, schedules, analyses, photographs, contracts, proposals,

Susan Svirskey
May 6, 1987
Page Two

and all other such documents tangible or retrievable of any kind.

As provided under the FOIA, I expect to receive a reply to this request within ten working days. In the event that a determination is made that some or all of the documents requested are exempt from disclosure under the FOIA, please identify those documents withheld and the basis for the agency's exemption in each instance. Finally, please provide me with a copy of all non-exempt material to the extent that is reasonably segregable from material claimed by the agency to be exempt from disclosure.

To expedite this request, please bill or notify me as soon as possible regarding the cost of duplicating these documents. Should you need additional information in order to process this request, do not hesitate to call me at 973-9700.

Thank you in advance for your assistance.

Very truly yours,



Mary K. Ryan

MKR:wac

cc: Ellen Mahan, Esquire
Evan M. Slavitt, Esquire
Susan M. Bernard, Esquire
Paul Galvani, Esquire
David A. McLaughlin, Esquire
Verne Vance, Esquire
Janine M. Sweeney, Esquire

member of the public wishing to obtain further information about this report should contact Mr. Green Jones, EPA Region III, 841 Chestnut Street, Philadelphia, Pa., or call Mr. Jones at (215) 597-9300.

The meeting is open to the public. Any member of the public wishing to attend, obtain information, or submit written comments should contact Dr. Terry F. Yosie, Director, Science Advisory Board or Mrs. Joanna Foellmer located at 401 M Street, SW., Washington, DC 20460 or call (202) 382-4126 by close of business March 9, 1987.

Dated: February 17, 1987.

Terry F. Yosie,

Director, Science Advisory Board.

[FR Doc. 87-3842 Filed 2-23-87; 8:45 am]

BILLING CODE 6560-50-M

[SW-FRL-3161-1]

Uncontrolled Hazardous Waste Sites; Availability of Documents and Information

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of availability of information.

SUMMARY: The Environmental Protection Agency today publishes this announcement which is consistent with its April 18, 1985 Interim Information Release Policy. This announcement concerns the availability of documents and data generated from the investigation of uncontrolled hazardous or potentially hazardous waste sites. The documents and information addressed by this notice may include the identity, quantity, physical state, concentration, and containment of toxic substances at a site, and their potential effect on ground water, surface water, drinking water, food chain, soil, and air in the vicinity of a site. This information is generally available in documents called Preliminary Assessments (PA) and Site Inspection (SI) reports. The PA and SI are available to the public as soon as they are completed. The instructions for completing the PA and SI reports are also available upon request.

If the information described above is available, but has not been recorded in either a PA or an SI report, then that information will also be available upon request. In addition, sampling data on a site which have been verified as analytically accurate are available to the public upon request.

ADDRESSES: The information described herein, and the PA/SI reports, as well as directions for completing those reports

may be obtained from the appropriate EPA Regional offices.

Susan Svirskey, EPA—Region I, John F. Kennedy Federal Bldg., Boston, MA 02203, 616/565-3661

Ben Conetta, EPA—Region II, 26 Federal Plaza, New York, NY 10278, 212/264-6324

Connie Carr, EPA—Region III, 841 Chestnut Street, Philadelphia, PA 19107, 215/597-4966/3535

Richard Ferrazzuolo, EPA—Region VI, 345 Courtland Street, NE., Atlanta, GA 30365, 404/347-2234

Jeanne Griffin, EPA—Region V, 230 S. Dearborn Street, Chicago, IL 60604, 312/886-3007

Barry Nach, EPA—Region VI, First International Bldg., 1201 Elm Street, Dallas, TX 75270, 214/767-4075

Shelly Brodie, EPA—Region VII, 726 Minnesota Avenue, Kansas City, KS 66101, 913/236-2856

Dave Shaller, EPA—Region VIII, One Denver Pl., 18th St., Denver, CO 80202, 303/293-1537

Holly Hadlock, EPA—Region IX, 215 Fremont Street, San Francisco, CA 94105, 415/974-7931

Debbie Flood, EPA—Region X, 1200 6th Avenue, Seattle, WA 98101, 206/442-2722

FOR FURTHER INFORMATION CONTACT:

Trudi J. Fancher, Hazardous Site Control Division, Office of Emergency and Remedial Response (WH-548E), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. Phone (800) 424-9346 (or 382-3000 in the Washington, DC, metropolitan area).

SUPPLEMENTARY INFORMATION: EPA collects information about hazardous waste sites in documents called Preliminary Assessment and Site Inspection reports, as well as a series of documents, which EPA considers deliberative, called HRS (Hazard Ranking System) package documents. Preliminary Assessment and Site Inspection Reports, which are not HRS package documents, are available to the public on request in both draft and final form as soon as they are completed. The instructions used in completing both the Preliminary Assessment and the Site Inspection Reports are also publicly available on request.

The Preliminary Assessment and Site Inspection Report may contain information about the identity, quantity, physical state, and concentration of toxic substances at a site, and their potential effect on the ground water, surface water, drinking water, food chain, soil, and air in the vicinity of the site. They also may include information about the containment of toxic substances at the site.

In those instances where EPA has collected the information described in the above paragraph by the time the Preliminary Assessment or Site

Inspection Report was prepared (that is to say, before the HRS evaluation process regarding the site has commenced), but has not recorded the information on either the Preliminary Assessment or the Site Inspection Report, EPA shall make this information available to the public on request.

In addition, whether or not the above information is reflected in the Preliminary Assessment or Site Inspection Report, sampling data on a site that have been verified as analytically accurate by EPA are routinely available to the public on request. Such verified sampling data may include information about the identity and concentration of toxic substances at a site.

If the identity of the toxic substances at a site is not included in the Preliminary Assessment or Site Inspection Report, and the identity of the substances is not indicated in the sampling data described above, EPA shall generally make this information available to the public on request. However, if the identity of the toxic substances is contained in supplemental reports, not developed by EPA and not related to EPA's sampling efforts, and the identity of the substances itself is the subject of a deliberative process, then the identities of these substances need not be released by EPA until the completion of that process. In endeavoring to make available to the public, information about the identity of toxic substances at a site, EPA need not release HRS drafts or other documents generated in the Hazard Ranking System evaluation process, which documents EPA considers deliberative, until the completion of that process.

With the exception of the instruction forms to the Preliminary Assessment and Site Inspection Report, EPA reserves the right to withhold the above information in accordance with Exemption 7 of the Freedom of Information Act.

Dated: February 17, 1987.

J.W. McGraw,

Acting Assistant Administrator for Solid Waste and Emergency Response.

[FR Doc. 87-3840 Filed 2-24-87; 8:45 am]

BILLING CODE 6560-50-M

[FRL-3161-6]

The Asbestos Hazard Emergency Response Act Negotiated Rulemaking Advisory Committee; Open Meeting

As required by section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), EPA is giving notice of an