

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

EPA-New England, Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

December 5, 2011

Jerome C. Muys, Jr.
Sullivan & Worcester LLP
1666 K Street, NW
Washington, DC 20006

Re: Centredale Manor Restoration Project Superfund Site
North Providence, Rhode Island

Dear Jerry:

I am writing in response to Emhart Industries, Inc.'s request for a 120-day extension of the public comment period for the Proposed Plan at the Centredale Manor Restoration Project Superfund Site. The U.S. Environmental Protection Agency ("EPA") is agreeing to extend the public comment period for an additional thirty days. This will result in a formal public comment period of at least ninety days. EPA believes that this is sufficient time for interested parties to submit comments on the Proposed Plan.

EPA mailed copies of the Proposed Plan in October – more than two weeks before the start of the formal public comment period. That same week, EPA made available the complete Administrative Record supporting the Proposed Plan and the Addendum to the April 2010 Interim Feasibility Study. EPA recognizes that these documents are complex and that there is a lot of material to review. However, earlier versions of these or similar documents were made available previously. For example, the April 2010 Interim Feasibility Study ("Interim FS") was provided to the parties in May 2010, about one and a half years ago. Emhart submitted detailed comments on the Interim FS in May 2011.

EPA's Addendum to the Interim FS ("FS Addendum") was based on recommendations provided by the National Remedy Review Board ("Board") in its Recommendations Memorandum dated October 28, 2010. That memorandum was made available by the Board on its website. Emhart apparently reviewed that memorandum at least as early as May 2011. In addition, the FS Addendum incorporates the results of sampling performed by Emhart. In light of the fact that Emhart performed the sampling, it was aware of the new data prior to EPA's issuance of the FS Addendum.

Emhart's letter emphasizes the size of the Administrative Record as a reason for a protracted comment period extension. The Administrative Record is indeed large. However, the



majority of the documents in the Administrative Record have been available for review for quite some time. EPA has made drafts of the Administrative Record available upon request for the last several years. In fact, EPA has sent several disks to Emhart with copies of many of the documents contained in the Administrative Record.

To date, Emhart has been given many opportunities to comment on the remedial alternatives under review. Emhart was given an opportunity to submit comments to the Board in May 2010 prior to the Board's review of EPA's preferred approach. Emhart submitted its set of comments to the Board in July 2010. In addition, as mentioned above, Emhart submitted detailed comments on the Interim FS to EPA in May 2011. Emhart has also been given opportunities to make its views known during Dialog sessions held by EPA, initially through a neutral mediator. EPA held its most recent Dialog session during the week that the Proposed Plan was issued to give interested parties an advance summary of the Plan's components.

Your November 14, 2011 letter closed by adding that some of the parties were under the impression that EPA intended to hold a year-long public comment period for the Proposed Plan. I am not aware of any EPA representations to that effect. It is true that we have previously acknowledged the complexities of the Site. That is why we started with a sixty-day public comment period rather than our traditional 30-day period. We may have also indicated that we could still be a year away from issuing a Record of Decision for the Site. However, we did not indicate that we would hold a year-long public comment period for this Proposed Plan. EPA believes that ninety days is sufficient time for parties to provide comments on the Proposed Plan.

EPA appreciates the effort that Emhart has expended in reviewing and contributing to the relevant documents and submitting its comments. We look forward to continuing to receive Emhart's comments as we move toward the selection of a remedy for this Site.

Sincerely,



Eve Vaudo

cc: Jeffrey M. Karp, Esq.
Anna Krasko