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|---|---|
| **From:** | Vaughn, Stephanie |
| **To:** | Robert Law; LaPoma, Jennifer |
| **Cc:** | Willard Potter; Basso, Ray; Flanagan, Sarah; William Hyatt |
| **Subject:** | RE: Draft BERA, EPA Response to CPG"s 9/2015 RTC.... |
| **Date:** | Wednesday, December 23, 2015 8:40:21 AM |
| **Attachments:** | TM_mPECq_102715.pdf<br>BG-Seds-CPG-CDM_Analytical_Result_ESS_3.xlsb |

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Hi Rob,

My apologies for leaving that off. Here are the technical memo and associated spreadsheet referenced in Comment No. 6.

Happy Holidays!!

Stephanie

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**From:** Robert Law [mailto:rlaw@demaximis.com]
**Sent:** Tuesday, December 22, 2015 3:30 PM
**To:** LaPoma, Jennifer <LaPoma.Jennifer@epa.gov>; Vaughn, Stephanie <Vaughn.Stephanie@epa.gov>
**Cc:** Willard Potter <otto@demaximis.com>; Basso, Ray <Basso.Ray@epa.gov>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>; William Hyatt <william.hyatt@klgates.com>
**Subject:** Fwd: Draft BERA, EPA Response to CPG's 9/2015 RTC....
**Importance:** High

Stephanie:

Please verify but I am not sure that the attachment titled Mean Probable Effect Concentration Quotient (mPECq), dated October 27, 2015 (file name: TM_mPECq_102715.doc) was provided with your email .

On behalf of the CPG, I acknowledge receipt of the Region's responses and associated documents provided in your e-mail.

Thank you.

Robert Law, Ph.D.
***de maximis, inc.***
rlaw@demaximis.com
Voice: 908-735-9315
Fax: 908-735-2132

>>> "Vaughn, Stephanie" <Vaughn.Stephanie@epa.gov> 12/22/2015 2:14 PM >>>
Hi Rob,

Attached are EPA's responses to the CPG's September 10 and September 15, 2015 responses to EPA's comments submitted on May 1, 2015 on the draft Baseline Ecological Risk Assessment (BERA) for the 17-mile Lower Passaic River Study Area RI/FS.

As EPA stated in its email transmitting our May 1, 2015 comments on the draft BERA, the next version of the document will require a complete and thorough review by EPA and the Partner Agencies. Our May 1 email also cautioned that if the next draft of the document is as deficient as the first, then EPA may elect to modify the document itself pursuant to Paragraph 44 of the AOC, and, as per Paragraph 47 of the AOC, the CPG would be required to accept the findings of the modified report (subject to dispute resolution). Please keep this in mind as you review the attached responses. EPA's comments must be incorporated appropriately; if they are not, the document will not be approvable and EPA will proceed as per Paragraph 44 of the AOC.

In accordance with Section X, Paragraph 46 of the AOC, you have up to 60 days to submit a revised draft BERA for EPA's full review.

Please let me know if you have any questions.

Thanks,
Stephanie