Message

From: John Ray [bodinman2003@yahoo.com]
Sent: 9/27/2016 10:58:42 PM
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CC: John Ray [bodinman2003@yahoo.com]; Erik Nylund [erik_nylund@tester.senate.gov]; Dylan (Tester) Laslovich [dylan_laslovich@tester.senate.gov]
Subject: Failure to Consider New Information from the Public--Fourth Five Year Review, Butte, Montana.
Attachments: Five Year Review Issues.doc

I have **attached** one of many documents that I submitted to the Montana Office of EPA during the public comment period for the Fourth Five Year Review of Butte, Montana area Superfund sites. It is obvious when reading the Fourth Five Year Review that my comments were ignored under the explanation that ***no new information*** was provided. In an earlier email, I commented on how the Montana Office of EPA did not follow EPA's own guidelines as to what constitutes new information. Clearly, following the EPA's own definition of "information," I did provide "new information" that should have been considered in the Five Year Review. As I said, my comments were ignored in the Five Year Review because, according to the Montana Office I provided no information. I wish to protest this arbitrary exclusion and ask that the Five Year Review be reopened in order to consider the information that I supplied.

While I realize that sometime in the future, there will be some kind of oral response to public comments at a public meeting, it is obvious that public comments such as mine were ignored given that the EPA said that "no new information" was provided that called into question the protectiveness of the remedy. Whatever may be said by EPA at a public meeting, I am referring to what is actually in the Fourth Five Year Review Document where we clearly see and find that, according to EPA, no new information was provided that called into question the protectiveness or implementation of the remedy. Therefore, we can assume that the remedy is working well in that it is unchallenged. I challenge this statement.

I ask you to please look at the "new information" in my attachment that was not considered by the Montana Office of EPA in preparing the Fourth Five Year Review for Butte, Montana Superfund sites. Please see ***attachment***.

Thank you,
Dr. John W. Ray
Butte, Montana

Documents