UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

October 22, 2013

BY EMAIL

Carol Dinkins, Esq.
Vinson & Elkins
First City Tower
1001 Fannin St., Suite 2500
Houston, TX 77002

Re: Diamond Alkali, Lower Passaic River Study Area – River Mile 10.9
Unilateral Administrative Order for Removal Response Activities
USEPA Region 2 CERCLA Docket No. 02-2012-2020

Dear Ms. Dinkins:

This will respond to your letter dated October 16, 2013 on behalf of Occidental Chemical Corporation ("Occidental"), requesting that the U.S. Environmental Protection Agency ("EPA") extend the date by which Occidental is required to submit financial assurance under Paragraph 56 of Unilateral Administrative Order ("UAO") CERCLA Docket No. 02-2012-2020. EPA hereby agrees to retroactively extend the date for submission until November 15, 2013.

We would like to arrange a meeting with Occidental in the next several weeks to discuss compliance with the UAO, addressing the following two issues.

First, during design, a pair of 72-inch water mains was identified crossing the center of the removal area. Due to constraints caused by schedule, and the uncertain results of a sonar/magnetometer survey performed for the Cooperating Parties Group, a dredging setback of 30 feet on either side of the pair of water mains was employed. However, to complete the removal action, it is necessary to: 1) take additional steps to determine the depths and the lateral position of the water mains; 2) analyze how to safely remove sediment from within the 30-foot offset area, sufficient to cap or otherwise address this area; and 3) design and implement sediment removal/capping in this area.

Second, the removal action involves opening and closing, on an almost daily basis, 10 movable bridges on the Passaic River and one on the Hackensack River. During design, EPA learned that one bridge (the Bridge Street Bridge) was in need of repair, and since the initial repair, that bridge experienced a second failure. Moreover, some of the other bridges are likely vulnerable to breakdown. EPA has determined that an engineering analysis of all movable bridges is required. The purpose of the analysis is to develop a full inventory of the deficiencies of these bridges, to determine what if any additional repairs may be needed and to prepare a detailed cost estimate and schedule for the anticipated repairs.

EPA would like to meet with Occidental by or before the first week of November 2013 to discuss implementation of these two tasks. Please let us know what days it would be possible to meet.

We look forward to meeting with you.

Sincerely,

Sarah P. Flanagan

Sarah P. Flanagan
Assistant Regional Counsel

cc: R. Basso, ERRD
S. Vaughn, ERRD
P. Hick, ORC