

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
EPA REGION 1 - NEW ENGLAND  
1 Congress Street, Suite 1100 (SEL)  
Boston, MA 02114-2023

OFFICE OF  
ENVIRONMENTAL STEWARDSHIP

HUGH W. MARTINEZ  
direct: (617) 918-1867

BY HAND

October 28, 2008

Ms. Wanda I. Santiago, Regional Hearing Clerk  
EPA Region 1 (New England)  
One Congress St., Suite 1100 (RAA)  
Boston, MA 02114-2023

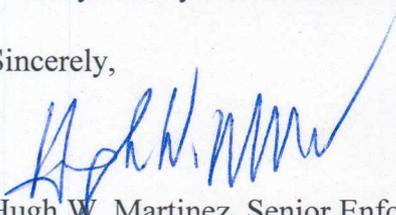
Re: In the Matter of: The Community Builders, Inc. et al., Docket No. TSCA-01-2008-0079  
Joint Status Report

Dear Ms. Santiago:

Please find enclosed the original and one copy of a Joint Settlement Status Report for filing in the above-entitled case. Also enclosed is a certificate of service.

Thank you for your assistance in this matter.

Sincerely,



Hugh W. Martinez, Senior Enforcement Counsel  
Regulatory Legal Office  
EPA Region 1

Enclosures

cc: Robert C. Kirsch, Esquire  
Jeffrey Norcross, EPA Region 1 (by e-mail)  
John B. Shumway, U.S. Dept. of Housing and Urban Development (by e-mail)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

RECEIVED

OCT 28 2008

EPA ORC  
Office of Regional Hearing Clerk

IN THE MATTER OF:

THE COMMUNITY BUILDERS, INC.,  
CHAUNCY HOUSE LIMITED PARTNERSHIP,  
CHURCHILL HOMES II LIMITED PARTNERSHIP,  
CINQUE GREEN LIMITED PARTNERSHIP,  
DARTMOUTH TCB LIMITED PARTNERSHIP,  
FRANKLIN SCHOOL HOUSING LIMITED  
PARTNERSHIP  
KENSINGTON SQUARE I LIMITED PARTNERSHIP,  
KENSINGTON SQUARE II LIMITED PARTNERSHIP,  
PLUMLEY VILLAGE LLC,

JOINT  
SETTLEMENT  
STATUS REPORT

PROJECT III HOUSING CORPORATION,  
TCB CORKY ROW I LIMITED PARTNERSHIP,  
TCB FRANKLIN PARK LIMITED PARTNERSHIP,  
TCB LM 2 LIMITED PARTNERSHIP,  
TCB NIAGARA LIMITED PARTNERSHIP,  
WESTFIELD 202, INC.,  
WORCESTER LOFTS LIMITED PARTNERSHIP,  
95 Berkeley Street,  
Boston, Massachusetts

Docket No.  
TSCA-01-2008-0079

CENTRAL GRAMMAR LIMITED PARTNERSHIP  
28 Dale Avenue,  
Gloucester, Massachusetts

PARK WEST RESIDENTS ASSOCIATION, INC.  
178-B Terrace Drive,  
Vernon, Connecticut

PUERTA DE LA ESPERANZA LLC  
401 Main Street  
Holyoke, Massachusetts

SOUTH CANAL LIMITED PARTNERSHIP  
70 Federal Street,  
Boston, Massachusetts

SOUTH CITY HOUSING LIMITED PARTNERSHIP, )  
SOUTH HOLYOKE LIMITED PARTNERSHIP )  
562 South Summer Street, )  
Holyoke, Massachusetts )  
)  
SOUTH SUMMER STREET ASSOCIATES )  
LIMITED PARTNERSHIP )  
550 South Summer Street, )  
Holyoke, Massachusetts )  
)  
VERANO APARTMENTS LIMITED )  
PARTNERSHIP )  
322 Main Street, Suite 1, )  
Springfield, Massachusetts )  
)  
Respondents. )  
)  
Proceeding under Section 16(a) of the )  
Toxic Substances Control Act, )  
42 U.S.C. § 2615(a). )  
)  
\_\_\_\_\_ )

**JOINT SETTLEMENT STATUS REPORT**

Pursuant to the Prehearing Order of September 18, 2008 (“Order”), the parties jointly report on the status of settlement discussions. The parties have engaged in negotiations, and have reached an agreement in principle. The parties are now in the process of negotiating the terms of a Consent Agreement to memorialize the settlement, and anticipate that a signed Consent Agreement and Final Order will be complete and available for filing by November 28, 2008. The parties will notify the Presiding Officer promptly should the need arise to seek any adjustment of the schedule set forth in the Order. Note that, in addition to the parties to the above-entitled proceeding, these negotiations have involved the participation of representatives from the U.S. Department of Housing and Urban Development (“HUD”). HUD is an agency which, like EPA, has authority to enforce the federal lead disclosure requirements at issue.

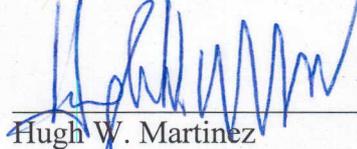
Respectfully Submitted,

Counsel for The Community  
Builders, Inc. et al.

A handwritten signature in blue ink that reads "Hugh Martinez for Rob Kirsch". The signature is written in a cursive style and is positioned above a horizontal line.

Robert C. Kirsch (BBO #541755)  
Jamie C. Beard (BBO #671077)  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000

Counsel for Complainant, EPA - Region 1

A handwritten signature in blue ink that reads "Hugh W. Martinez". The signature is written in a cursive style and is positioned above a horizontal line.

Hugh W. Martinez  
Senior Enforcement Counsel  
U.S. EPA, Region 1  
One Congress Street, Suite 1100 (SEL)  
Boston, MA 02114-2023

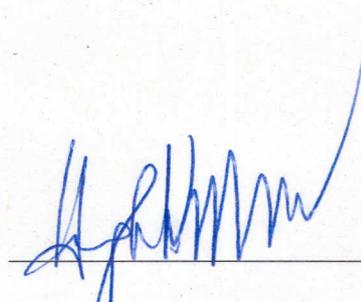
In re: The Community Builders, Inc. et al.  
EPA Docket No. TSCA-01-2008-0079

**CERTIFICATE OF SERVICE**

I, Hugh W. Martinez, Esq. hereby certify that on this 28<sup>th</sup> day of October 2008, I caused a copy of the foregoing to be served on the following:

**Original and One Copy By Hand Delivery**

Wanda I. Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
One Congress Street, Suite 1100 (RAA)  
Boston, MA 02114-2023



Robert C. Kirsch (BBO #541755)  
Wilmer Cutler Pickering Hale  
and Dorr LLP  
60 State Street  
Boston, MA 02109  
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OR

Hugh W. Martinez  
Senior Enforcement Counsel  
U.S. EPA, Region 1  
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