



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

APR 30 2014

U. S. Environmental Protection Agency
Environmental Appeals Board
Ms. Eurika Durr, Clerk of the Board
1201 Constitution Avenue N. W.
WJC East, Room 3334
Washington, D. C. 20004

**Re: E.I. DuPont de Nemours & Co., HSWA Permit, Pompton Lakes Works,
Pompton Lakes, New Jersey, EPA Id. No. NJD 002173946;
Notice of Withdrawal of HSWA Permit Modification I;
RCRA Appeals Nos. 13-01 & 13-02**

Dear Ms. Durr:

Please find enclosed a letter dated April 30, 2014 from John Filippelli, Director, Clean Air and Sustainability Division, Region 2, providing a Notice of Withdrawal of the HSWA Permit Modification, as referenced above, issued to E.I. DuPont de Nemours, ("DuPont"). The Permit Modification was appealed by DuPont and the Passaic River Coalition.

Counsel for the petitioners are herein notified of the withdrawal. Service in the matter is being made electronically to the E.A.B. and counsel for petitioners. A Certificate of Service is attached.

Sincerely,

A handwritten signature in black ink that reads "Robert G. Hazen".

Robert G. Hazen
Assistant Regional Counsel
Region 2



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Ms. Sheryl A. Telford
Director, Corporate Remediation Group
E.I. DuPont de Nemours & Co. Inc.
Rte 141 & Faulkland Roads
Wilmington, Delaware 19805

**Re: E.I. DuPont de Nemours & Co., HSWA Permit, Pompton Lakes Works,
Pompton Lakes, New Jersey, EPA Id. No. NJD 002173946;
Notice of Withdrawal of HSWA Permit Modification I;
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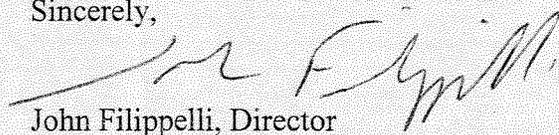
Dear Ms. Durr and Ms. Telford:

On December 19, 2012, Region 2 of the U. S. Environmental Protection Agency ("Region") issued Permit Modification I of the above-referenced HSWA Permit to E.I. DuPont de Nemours & Co. ("DuPont"). The permit modification concerned remediation of the Acid Brook Delta sediments and the adjacent upland area of Pompton Lake.

Before the permit modification became effective, DuPont and the Passaic River Coalition each timely filed petitions for its review with the Environmental Appeals Board ("Board") pursuant to 40 C.F.R. § 124.19(a). By Order of the Board, the appeals have been stayed until April 30, 2014.

After consideration of all aspects of the matter, pursuant to 40 C.F.R. § 124.19(j), the Region hereby withdraws the Permit Modification in its entirety. The Region will prepare a new draft permit modification in accordance with 40 C.F.R. Part 124, which will proceed through the same process of public comment, including the opportunity for a public hearing, as would apply to any other permit subject to 40 C.F.R. Part 124.

Sincerely,



John Filippelli, Director
Clean Air & Sustainability Division

cc: David J. Miller, Esq.
Counsel, Passaic River Coalition

Certificate of Service

I certify that a pdf copy of the letter from John Filippelli, Director, Clean Air and Sustainability Division, Region 2, dated April 30, 2014, providing Notice of Withdrawal of HSWA Permit Modification I issued to E. I. DuPont de Nemours and Company, together with a transmittal letter, were sent electronically to the persons listed below. The Permit Modification appeals are E.A.B. Docket Nos. 13-01 & 13-02.

Environmental Appeals Board – By E.A.B. Electronic filing system

Clerk of the Board
U. S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East, Room 3334
Washington, D.C. 20004

Attorney for Petitioner E.I. DuPont de Nemours and Company

Stephen Rahaim
E.I. DuPont de Nemours and Company
DuPont Legal – Corporate Counsel
1007 Market Street, D-7099
Wilmington, DE, 19898
Telephone: (302) 774-8720

Attorney for Petitioner Passaic River Coalition

David J. Miller, Esq.
Lieberman & Blecher
10 Jefferson Plaza, Suite 400
Princeton, New Jersey 08540
Telephone: (732) 355-1311

April 30, 2014



Robert G. Hazen
Assistant Regional Counsel, Region 2
U.S. Environmental Protection Agency
290 Broadway
New York, New York 10007-1866
Telephone: (212) 637-3215
Email: Hazen.robert@epa.gov