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ENVIR. APPEALS BOARD

US EPA New England
Office of Environmental Stewardship
1 Congress Street, Suite 1100
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Fax: (617)918-1809

To: Eurika Durr Date: 10/5/06
Fax #: 202-233-0121 Pages: 4, including this cover sheet.
From: Eve Vaudon
Phone: 617-918-1089
Subject: In re: Centredale Manor
Petition No. CERCLA 106(b) 05-02

COMMENTS:

Please contact (617)918-1700 if you do not receive the proper number of pages with this facsimile. Thank you.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

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October 5, 2006

ENVIR. APPEALS BOARD

BY FEDERAL EXPRESSU.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005Re: Centredale Manor Superfund Site
Docket Number: CERCLA-1-2001-0032
Petition Number: CERCLA 106(b) 05-02

Dear Ms. Durr:

I have enclosed a Status Report in connection with a petition for reimbursement dated July 8, 2005 and filed by Howard Castleman on behalf of Brook Village Associates Limited Partnership (Petition No. CERCLA 106(b) 05-02). This matter has been stayed pursuant to an Order Granting Stay issued by the Environmental Appeals Board on August 4, 2005.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Eve Stolov Vaudo".

Eve Stolov Vaudo
(P): 617-918-1089
(F): 617-918-1809
vaudo.eve@epa.gov

Enclosures

cc: Howard Castleman, Esq.

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BEFORE THE ENVIRONMENTAL APPEALS BOARD 2006 OCT -5 AM 11:30
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. ENVIR. APPEALS BOARD

In re:)
)
)Centredale Manor Superfund Site)
(North Providence, RI))
)Petitioner,)
)

)**STATUS REPORT**

By joint motion filed on July 29, 2005, Brook Village Associates Limited Partnership ("Brook Village") and the United States Environmental Protection Agency, Region 1 ("Region") requested a stay of the proceedings in this Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") reimbursement matter under 42 U.S.C. § 9606(b). On August 4, 2005, the Environmental Appeals Board ("Board") issued an order ("Order") granting the stay pending the decision of the United States District Court for the District of Rhode Island ("Court") to approve or disapprove the proposed Consent Decree which was lodged with the Court on May 6, 2005. Pursuant to the Order, the parties are required to jointly notify the Board within ten days of the Court's approval or disapproval of the proposed Consent Decree.

A hearing on the Region's Motion to Enter the proposed Consent Decree was scheduled before Judge William Smith on July 17, 2006. However, that hearing was not held because Judge Smith recused himself from this matter and transferred it to Judge Mary Lisi. A hearing on the merits of the Region's Motion to Enter was held before Judge Lisi on September 18, 2006. The parties are awaiting Judge Lisi's decision to approve or disapprove

the proposed Consent Decree. As required by the Order, the parties will notify the Board within ten days of receiving Judge Lisi's decision and will include in that notice a discussion of whether the stay should be continued; the petition should be dismissed; or a future schedule should be established.

UNITED STATES
ENVIRONMENTAL
PROTECTION AGENCY,

By its attorney,

Eve S. Vaudo

Eve S. Vaudo
Senior Enforcement Counsel
U.S. Env'tl. Protection Agency,
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BROOK VILLAGE ASSOCIATES
LIMITED PARTNERSHIP,

By its attorneys,

Howard J. Castleman

Howard J. Castleman
Holland & Knight LLP
10 St. James Avenue-11th Floor
Boston, MA 02116
(617) 523-2700

Dated: October 3, 2006