

## Claudia Powers

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**From:** Cora.Lori@epamail.epa.gov  
**Sent:** Wednesday, January 30, 2008 1:47 PM  
**To:** Claudia Powers; Yamamoto.Deb@epamail.epa.gov; Doug LOUTZENHISER; Sheldrake.Sean@epamail.epa.gov; Todd SLATER  
**Subject:** EPA proposal

Claudia and others:

As we discussed yesterday, EPA makes the following offer in order to avoid formal dispute on the last outstanding Arkema issue, which is whether DDT contaminated sediment addressed by this removal action can be assessed for disposal in an in-water confined disposal facility. If Arkema disputes any issue related to the third EPA-drafted workplan, or later in the EE/CA process insists on CDF evaluation in the EE/CA for contaminated materials addressed by this removal action, this offer will be rescinded.

"EPA will agree that the EE/CA assessment for removal of contaminated sediment may be limited to the area with a maximum areal/horizontal extent of 5 ppm DDx, as measured at surface and detected at depth. Once further characterization of the area comprising 5 ppm DDx or higher is bounded, the EE/CA evaluation may further refine the removal action area (RAA) due to other constraints discussed in the workplan to yield the final RAA. As previously agreed during the informal dispute process, within the final RAA selected in the Action Memo, dredging would then take place to risk-based SLVs as defined in EPA's 3rd ee/ca workplan, as amended or modified by the EE/CA analysis."

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