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August 31, 2011

Melissa Taylor
USEPA Region 1
5 Post Office Square
Mail Code: OSRR07-4
Boston Ma 02109-3912

Re: Shpack Superfund Site – comments on 30% Design Report by ERM

Dear Ms. Taylor:

To avoid being redundant I will not repeat the comments submitted by others.

1. As the dam keeper for Chartley Pond, I monitor the level of the pond throughout the year. The success of the plan to mobilize in the spring 2012 will be dependent on the snowfall and spring rains. The change in the water level of the pond can be as much as 30 inches in the spring. In the 8 years I have monitored the pond an increase of this magnitude has occurred on three different occasions. An increase of 15 to 18 inches is an annual event and in some years has occurred more than once. The Army Corps of Engineers encountered significant problems as a result of the normally high water level at the Shpack site. The problems increased significantly when the Pond level increased more than 6 inches. Due to wildlife concerns we do not lower the Pond in the spring. We tried to accommodate the ACOE by lowering the level of the Pond but it is so shallow the Pond shrunk in size and the nesting areas of the fish dried up. The nesting areas of the waterfowl were left high and dry and they were more susceptible to prey.
2. A proposed change, although orally rejected by EPA at the July 19, 2011 meeting, in the Reuse Scenario and Risk Assessment from Adjacent Resident to Passive Recreation was disconcerting. Much effort and thought went into the Reuse Scenario and Risk Assessment a number of years ago. To have ERM unilaterally make such a change is unacceptable. We have not seen anything in writing from the PRP's, ERM or EPA confirming the Reuse Scenario would be Adjacent Resident.
3. A new 30% Design Report should be issued based on the premise that the Reuse Scenario will be Adjacent Resident. The corrected Report should show the changes from the April 29, 2011 Report necessary to accomplish the aforementioned reuse scenario. Only in a bureaucratic environment would interested parties be expected to comment on a report which was based on an erroneous objective. In the real world, the report would have been reissued before requesting comments but I guess that is the reason it takes forever for the bureaucracy to accomplish its objectives.

Yours truly,

Ronald O'Reilly