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October 10, 2006

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*Re: Sullivan v. City of Providence et al., C.A. No. PC 05-2553
Request for Extension of Time to Review Park Parcel SIR*

Dear Counselors:

I am sending this letter to parties that participated in the negotiation of the Consent Order (Park Parcel) entered by the Providence Superior Court in the above-referenced matter on March 29, 2006, to request an extension of the Department's deadline to complete its review of the site investigation report ("SIR") for the "Park Parcel" as set forth in Paragraph III.c. of that Order. The Department's need for the extension stems primarily from the fact that the Department's Project Manager for the Park Parcel has had to spend an inordinately large amount of time monitoring the removal of the slag pile and responding to issues relating to the slag pile, which has prevented him from reviewing the SIR in accordance with the Consent Order. As of the date of this letter, the removal of the slag pile has yet to be completed and a "Removal Actions Report" has yet to be submitted in accordance with Section I. of the Consent Order. As a result of the many issues surrounding the removal of the slag pile, the Department believes that it cannot adequately review and comment on the SIR until the slag pile and other removal issues have been thoroughly addressed and the Department has had an opportunity to review the Removal Actions Report. This is because the decisions that are made in deciding where to terminate the removal of slag and fill/soils impacted by



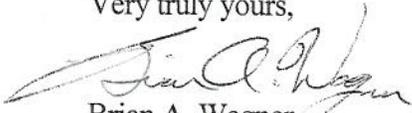
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slag (or the removal of other materials pursuant to Section I) will have a direct effect on the Department's review and analysis of the SIR.

For these reasons, the Department is asking the other parties to the Consent Order to allow the Department until December 1, 2006, to provide a Program Letter or comment letter in response to the SIR in compliance with Paragraph III.c. of the Consent Order. The Department will use best efforts to meet the spirit of the Consent Order by expediting its review of the SIR once the slag pile has been properly removed and a Removal Actions Report has been submitted for the Department's review. Any comments that the Department has with respect to the Removal Actions Report (see Paragraph I.d.) will be incorporated into the Department's comments on the SIR.

Very truly yours,



Brian A. Wagner

Cc: Terrence Gray, Assistant Director
Leo Hellested, Chief-OWM
Kelly Owens, OWM
Joseph Martella, OWM