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90-7-1-40

Washington, D.C. 20530

January 18, 1982

Honorable John T. Curtin
Chief Judge
United States District Court for
the Western District of New York
Court and Franklin Streets
Buffalo, New York 14202

Dear Judge Curtin:

Re: United States v. Hooker Chemical &
Plastics Corp., et al. (Hyde Park)

*not Johnson's
ref*
[This is to advise the court concerning the status
of matters that were raised by the Court and the parties at
the hearings held in connection with the above referenced
case in September and October, 1981.]

{ At the October 16, 1981 hearing, the government
represented that EPA would undertake appropriate sampling at
the Niagara River gorge face and other locations in response
to the concerns of the Court and the opponents of the proposed
Agreement (T. 1917). Samples were collected by EPA and split
with representatives of Hooker on October 22, 1981. These
samples were sent by EPA to California Analytical Laboratories,
Inc. for analysis on October 27, 1981. EPA has advised government
counsel that the results of its sampling program will be available
within the next several weeks. As soon as these results are made
available to counsel, copies will be forwarded to the Court and/
the other parties.

* As represented by the government at the hearings, the United States Geological Survey (USGS) has reviewed existing hydrogeologic data concerning Hyde Park and will continue to assist EPA in the review of data collected pursuant to the terms of the proposed Agreement. In this regard, Mr. Richard Johnston, who testified at the hearings, has submitted to EPA a draft report of his review of groundwater conditions at the Landfill site, including direction and velocity of groundwater flow in geologic strata including the Rochester Shale Formation. [The USGS is expected to finalize this report within the next few weeks. As soon as Mr. Johnston's final report is received by government counsel, copies will be forwarded to the Court and the other parties.]

Although the government believes that the information set forth above is not necessary to a decision concerning whether the proposed Agreement should be entered, we recognize our responsibility to keep the Court and public informed of significant developments in this matter. We hope that this letter meets our responsibility in this regard and will be of assistance to the Court in its supervision of these matters.

Sincerely,

Assistant Attorney General
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By:



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