



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

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VIA ELECTRONIC MAIL

January 31, 2013

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RE: *In the Matter of Cotter Corporation (NSL), and Laidlaw Waste Systems (Bridgeton), Inc. and  
Rock Road Industries, Inc. and the U.S. Department of Energy  
Administrative Order on Consent, EPA Docket No. VII-93-F-0005*

Dear Counsel:



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This is a follow-up to our meeting on January 17, 2013 in the St. Louis area when we discussed, among other things, the work that EPA is planning in the coming year that relates to the West Lake Landfill Site.

One matter we discussed was EPA's determination that more groundwater data is needed at this time and to that end, we requested that the PRPs perform additional rounds of groundwater sampling this year. We would consider this work, like the work you have been performing in response to our October 2012 letter, to fit within the meaning of additional work, as set forth in Paragraph 51 of the above-captioned Consent Order.

Assuming your clients agree to perform this additional work, in response to a question you posed, we will be available to discuss which analytes would be required to be included in the future rounds of sampling and the schedule for these sampling rounds. We suggest that a call be arranged with Dan Gravatt and your technical representatives to discuss this matter.

In addition, EPA is adopting EQUIS as its environmental database and requests that all future data submittals be in a format compatible with EQUIS. EPA will work with you to explain the formatting requirements for future data submittals and determine a path forward for converting existing data to the new format.

We are aware that MDNR provided comments on the groundwater report which you submitted in December, 2012. EPA is not seeking a response to the comments at this time but will discuss their import at a later date as the future groundwater sampling rounds are planned.

Another matter raised at our meeting was the possibility of EPA delisting Operable 2 of the Site as it is a solid waste landfill, regulated by the state of Missouri. EPA formally deferred regulation of the former sanitary landfill (Bridgeton landfill) through the OU 2 Record of Decision (see pages 14-15). Delisting a portion of a Superfund site requires another process, starting with a demonstration that the site meets four criteria set forth in the NCP. The process requires state concurrence as well as a public hearing and comment period. EPA has not yet discussed this matter with the state. Due to the press of other matters that require attention at this Site, we do not anticipate action towards that end during this year.

We appreciate your cooperation in working with the Agency and look forward to confirmation that you will perform the additional rounds of groundwater sampling and analysis.

Sincerely,



Audrey B. Asher  
Senior Counsel

cc: Kathryn Macdonald, DOJ-EES  
Dan Gravatt, EPA-SUPR  
Shawn Muenks, MDNR