



**AMERICAN FRIENDS SERVICE COMMITTEE
NORTHEAST OHIO OFFICE**



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Humanity House
613 West Exchange St.
Akron, Ohio 44302
330-253-7151 or 330-253-7204
Fax 330-996-4664

8. April. 1999

Denise Gawlinski
Office of Public Affairs
EPA, Region 5
sent via FAX 312-353-1155

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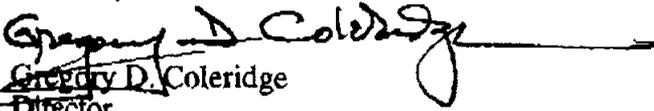
Dear Ms. Gawlinski,

Attached please find a 2 page letter sent today to Carol Browner, Administrator, U.S. EPA requesting an extension of the comment period in general or, at least, our comment period concerning the proposed changes to the Record of Decision (ROD) at the Industrial Excess Landfill (IEL) in Uniontown, Ohio.

This is to request that the attached letter be entered into the Administrative Record concerning the proposed changes to the IEL ROD.

Thank you.

Sincerely,


Gregory D. Coleridge
Director

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To		From	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

The American Friends Service Committee is a Quaker social action organization seeking non-violent solutions to human problems through promoting understanding and peace and helping those ill and oppressed.





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8. April. 1999

Carol Browner
Administrator
U.S. EPA
sent via FAX 202-260-0279

Dear Ms. Browner,

This is a formal request to extend the comment period in general or, at least, our comment period concerning the proposed changes to the Record of Decision (ROD) at the Industrial Excess (IEL) Landfill in Uniontown, Ohio. The formal public comment period ends April 11th.

This request is not being made lightly. We wish it did not have to be made at all, however, EPA Region 5 has extended for no legitimate reason the time to respond to a potentially important and relevant Freedom of Information Act (FOIA) request from our organization.

The American Friends Service Committee (AFSC) is a Quaker social action organization which is founded on, among many principles, the belief in the dignity and worth of every person and to see that of God or good in all human beings -- regardless of income, religion, race, gender, physical ability or where they may live.

Many people who we work with and who support our work live in or near the IEL. For the past three years, we have supported the Concerned Citizens of Lake Township (CCLT) and the Lake Township Trustees in their efforts to learn the truth of what is buried at the IEL and, then, take appropriate action to remove the dangers to the community

Our FOIA request, dated March 2, 1999, sought all documents from other federal agencies received by Region 5 during the past one month concerning the IEL. In particular the request sought a document that an employee from Region 5 on February 10 informed me by phone the Region received from the U.S. Army. The employee stated the document addressed the Army's response to an earlier FOIA request of mine concerning possible presence of radiation at the IEL. The employee said the document sought a "release determination" of Army information from EPA related to IEL. The employee stated that the document would be forwarded to Mr. Timothy Thurlow at Region 5. Finally, the employee claimed the document showed that the Army would deny release of some of its information by invoking the Privacy Act. I had requested this document whether or not it contained all that I had described.

The recent response from Region 5 seeking an extension "is the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records involved in your request. An initial determination is expected by April 12, 1999."

I find it questionable that a "voluminous amount" of information could exist at the Region on IEL from outside federal agencies covering a one month period. However, while I was in search of one



document in particular, the request involved *all* documents, therefore, it shouldn't be difficult to send them all and let us "examine" the "voluminous amount of separate and distinct records", assuming such a quantity exists.

I also find it curious that the deadline date provided by the Region is April 12 -- *one day after* the end of the formal public comment period.

Our initial FOIA request on radiation and the US Army was not even directed to EPA Region 5. It was directed on November 18 to the U.S. Army. They forwarded it, for reasons still unclear, to the lead attorney at Region 5. Why this happened is a legitimate question for another time.

At the moment, Region 5 is being an impediment to the public's right to know potentially important information about what, if any, documentation the U.S. Army possesses on the dumping of radiation at the IEL. Such information needs to be made public -- and could affect the final cleanup plans as currently proposed.

Therefore, we respectfully request that the formal comment period be extended in general or, at least, to our organization until our requested documents are supplied by Region 5. This, of course, implies that no final decision be made on the clean-up until after this documentation is provided.

Thank you for your consideration of this request.

Sincerely,


Gregory D. Coleridge
Director

cc: Nancy S. Marks, Senior Attorney, Natural Resources Defense Council
U.S. Representative Tom Sawyer, 14th Congressional District [Ohio]
Chris Borello, President, Concerned Citizens of Lake Township
Danielle Brian, Executive Director, Project on Government Oversight
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