



FEB 03 1989

EXPRESS MAIL B67363762
RETURN RECEIPT REQUESTED

Mr. H. Gilbert Weil
Union Carbide Corporation
P.O. Box 670
Bound Brook, New Jersey 08805

Re: SCP-Carlstadt Site, Administrative Orders Index Nos. II-CERCLA-50114 and II-CERCLA-60102

Dear Mr. Weil:

I am writing to bring to your attention a serious problem which has arisen regarding Respondents implementation of the Feasibility Study (FS) pursuant to the above-referenced Administrative Orders.

It has come to my attention that the Respondents have not been proceeding with the Treatability Studies in accordance with documents submitted to EPA and agreements reached at various meetings between EPA and Respondents. Specifically, I have been informed that on Wednesday, February 1, 1989, while visiting ERM's office to review the revised Treatability Study Plan, James Schmidtberger, of my staff was informed that ERM had decided to use different laboratories than those previously proposed. In fact, ERM stated that samples had already been shipped, and had arrived at a laboratory other than Compuchem Laboratories.

As you may recall, at a meeting January 5, 1989 between EPA and Respondents, ERM proposed the possible use of several different laboratories for treatability study analyses. At that time, EPA informed ERM that they must designate exactly which laboratories would be doing analyses, and that the proposed laboratories must participate in the Contract Laboratory Program (CLP). EPA had no objection to the use of several laboratories, but merely requested that ERM decide exactly which would be used, instead of listing "possibilities". ERM subsequently informed EPA that Compuchem Laboratories would be doing all analyses (see letter, dated January 6, 1989, from Steve Croce, with attachments). ERM also represented to EPA that Compuchem was in fact, certified in the CLP.

I find it distressing that on February 1, 1989, EPA was informed that analyses was not taking place solely at Compuchem, but also at two other laboratories. EPA informed ERM on February 2, 1989

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that one of these other laboratories, Hunter ESE in Denver, was not certified in the CLP, yet I understand that the thermal treatment samples had already been shipped to Hunter.

I urge you do take whatever steps are necessary to rectify this situation. As was recommended to ERM by EPA on February 2, 1989, if holding times have not already been exceeded, ERM should arrange to have these analyses performed at Compuchem, as was originally represented to EPA. EPA also informed ERM on February 2, 1989 that if the samples are analyzed at Hunter, it is necessary that Hunter perform acceptably on Performance Evaluation Samples, to be sent by EPA.

Please advise Janet Feldstein or James Schmidtberger, of my staff, as to which laboratory will be performing these analyses.

Sincerely yours,

Raymond Basso, Chief
New Jersey Compliance Branch

cc: Tom Armstrong, General Electric
William L. Warren, Esq.
Pamela Lange, NJDEP

bcc: J. Rooney, ORC-NJSUP
J. Schmidtberger, NJCB
R. Schwarz, NJRAB



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