

Congress of the United States
Washington, DC 20515

March 6, 2006

Mr. Bill A. Roderick
Office of Inspector General
Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2410T)
Washington, DC 20460

Dear Acting Inspector General Roderick:

We are writing to request that the Office of Inspector General conduct an investigation into the history and continued inadequate characterization and remediation of the Ringwood Mines/Landfill Superfund site in Ringwood, New Jersey. It is our understanding that your office now includes all of the functions of the former EPA Ombudsman, and that you are able to use the powers of both offices in conducting such an investigation.

As you may be aware, the Ford Motor Company and its contractors dumped automotive paint sludge, automotive parts and other heavy metal and chemical waste over a large area in the Ringwood Borough during the 1960s and 1970s. The site was listed on the National Priorities List (NPL) on September 8, 1983, then declared clean and deleted from the NPL on November 2, 1994. Since the site was deleted, however, EPA has been forced to require Ford to return to the site four additional times to remove additional contaminated material after EPA had deemed each area remediated-- and investigative and remedial work is still ongoing and required.

EPA officials, including Region 2 Administrator Alan Steinberg and Administrator Stephen Johnson, have committed to relisting the site on the NPL, which would signify EPA's commitment to making the site a priority for cleanup. This also indicates that EPA and Ford clearly ignored their responsibilities to clean up the entirety of the Ringwood site when it was originally listed on the NPL, to the great detriment of area residents. As we continue to try to ensure that the cleanup of the site is finally and thoroughly completed, we would like to know how and why the site was deleted when it clearly should not have been.

In particular, we would like your office to issue a report focusing on the following specific questions:

Initial Cleanup

- 1) Did EPA conduct adequate and proper review of the initial proposed Remedial Investigation -- including but not limited to the proper oversight of the following activities:

- Assembling and evaluating site data;
 - Identifying the type, quality, and quantity of needed data;
 - Preparing specific health and safety plans;
 - Identifying federal and state Applicable or Relevant and Appropriate Requirements (ARARs);
 - Conducting an adequate investigation to properly delineate the horizontal and vertical extent of site contamination within the site boundaries and potentially impacted areas beyond the site boundaries. Was the extent of the area specifically targeted for investigation and cleanup adequate to remove all the paint sludge on the site?
- 2) Did EPA conduct adequate and proper oversight of the selected remedial option?
 - 3) Did the Responsible Party (RP) or the RP's contractors follow proper guidelines and procedures regarding the evaluation of the threat to the environment and health of the residents?
 - 4) Did EPA conduct proper follow-up, including five-year reviews, to determine if corrective action solved problems at the site?
 - 5) Did the EPA provide adequate evidence through technical testing to demonstrate that the remedy selected in the 1988 ROD would provide for a sufficient cleanup?
 - 6) Did EPA take all necessary steps to ensure that cleanup activities were sufficiently conducted according to the final cleanup remedy presented in the 1988 Record of Decision (ROD)?
 - 7) Did EPA spend sufficient oversight time at the site?
 - 8) Was the soil investigation adequately scoped (i.e., were sufficient samples collected) to identify areas of concern to a reasonable statistical certainty?
 - 9) Did EPA fail to properly maintain the Site Repository located at the Ringwood Library?

Community Involvement

- 1) Did EPA meet its legal obligations, including all relevant laws and regulations, regarding community involvement and relations?
- 2) Did EPA interact with the community in an open and frank manner?
- 3) Did EPA take the concerns of the community seriously?
- 4) Did EPA's poor communication result in many residents not trusting EPA?

Environmental Racism

As you may be aware, the New Jersey Environmental Justice Task Force has granted an environmental justice designation for this site. Was environmental racism a factor in the failure of the government to properly clean up the site?

Expenditures

Did four failed cleanup attempts result in EPA taking extra actions that may not have been needed, resulting in unnecessary costs to the agency and waste of taxpayer money?

Fraud

Was there contractor or RP fraud present at the site -- including but not limited to possible mail fraud because of the mailing of fraudulent test reports, falsifying chain of custody records, and analytical lab reports?

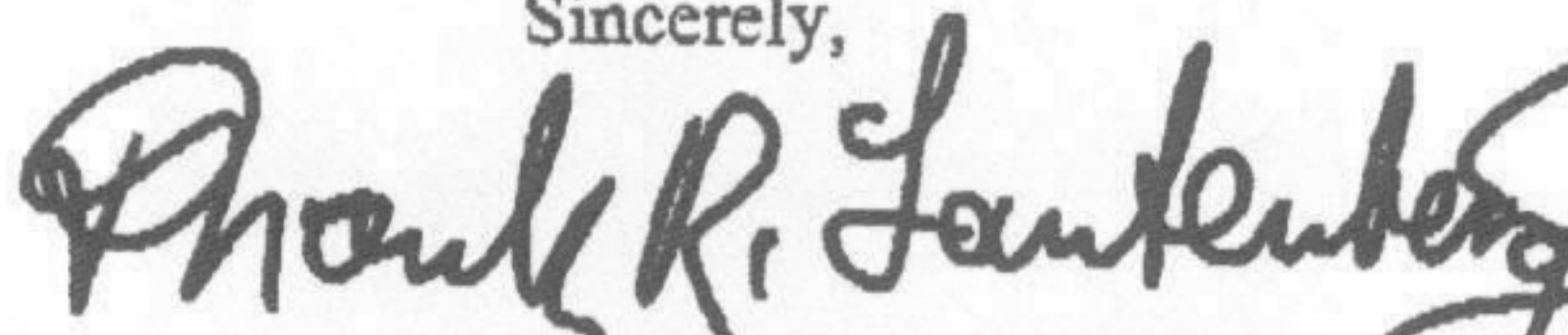
Finally, we would like to request that the Office of the Inspector General retain an independent expert as special master to oversee the remainder of the cleanup process, to determine if the current cleanup plan is feasible and adequately protective of human health and the environment, and to provide independent testing results. It is our understanding that the Inspector General has the authority to order the RP to pay for such a special master.

We greatly appreciate your consideration of our request and look forward to a prompt reply. If you have any questions or would like to discuss this matter further, please contact Eric Gordon with Congressman Pallone at 202-225-4671.

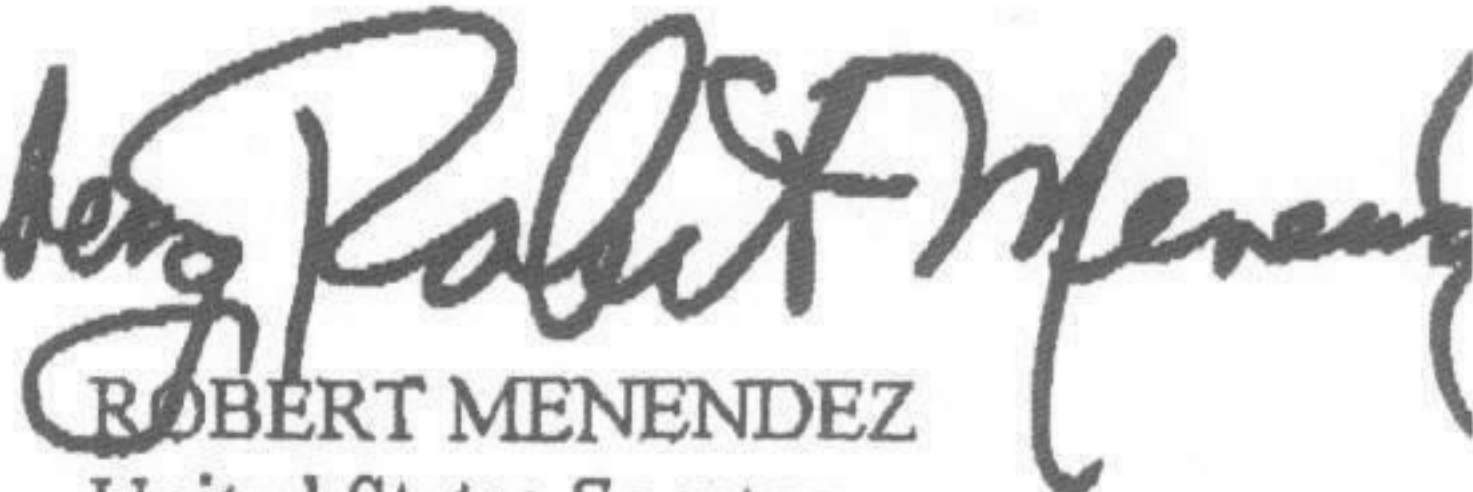
Sincerely,



FRANK PALLONE, JR.
Member of Congress



FRANK R. LAUTENBERG
United States Senator



ROBERT MENENDEZ
United States Senator