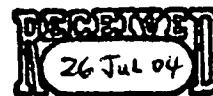


WILMER CUTLER PICKERING
HALE AND DORR LLP



cf. Cotner
Manning
Beller
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Hempner
Farker
Harris
Kraus
Petrolo

July 20, 2004

James G. Votaw

**VIA TELECOPIER (314) 260-3941 AND
CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Ms. Sharon R. Cotner
FUSRAP Program Manager
U.S. Army Corps of Engineers
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Berkeley, MO 63134

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james.votaw@wilmerhale.com

Re: Request for Extension of Comment Period -- "Derivation of Site Specific DCGLs for North County Structures" (June 25, 2004)

Dear Ms. Cotner:

On behalf of the General Investment Funds Real Estate Holding Company ("GIFREHC"), we request a 45-day extension of the public comment period (through September 20, 2004) respecting the document, "*Derivation of Site Specific [Derived Concentration Guideline Levels]*" (June 25, 2004) (the "DCGL's"), as announced in the Corps' July 6, 2004 notice of availability mailed to stakeholders. As you know, GIFREHC's subsidiary owns Vicinity Property 2L, located immediately adjacent to the Hazelwood Interim Storage Site ("HISS"). The Corps has reported that "elevated levels" of radiological contaminants were detected on certain exterior components of structures on that property. See CEMVS-PM-R, "*Memorandum of Record: Rationale of Building/Structural Cleanup and the Derivation of DCGLs at the North St. Louis County Sites*" (Jul. 7, 2004). For these reasons, GIFREHC may be directly and significantly impacted by whatever guidelines are selected at the close of the comment period, and GIFREHC intends to review the DCGLs and provide its comments to the Corps.

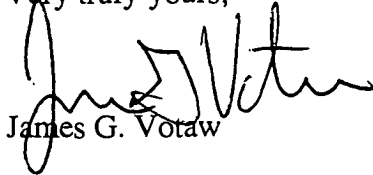
Although the notice of availability to stakeholders is dated July 6, 2004, GIFREHC did not receive the notice of availability until yesterday (July 19). The postmark on the envelope indicates that it was not mailed until July 14 at the earliest (copy attached). Given the highly technical and voluminous record associated with this action, the effective 18-day public comment period allowed by the Corp is insufficient to allow GIFREHC and others to retain the necessary outside expertise to develop and submit meaningful public comment. Moreover, in view of the 26 years of study already devoted to this effort by the Government, forestalling a final decision for another 45 days would represent only an insignificant postponement, would not prejudice human health or the environment, and would result in more meaningful public input on these important but highly technical matters.

In light of (i) the potential impact and importance of the Corps' decisions on GIFREHC and other Vicinity Property owners in particular, and on the North County community generally; (ii) the practical impossibility of providing meaningful review and comment within the currently allotted time; (iii) the absence of any meaningful opportunity for judicial review after the

Ms. Sharon R. Cotner
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Page 2

decisions are made; and (iv) the negligible deferment involved; we respectfully request, on behalf of GIFREHC, that the Corps extend the comment period by 45 days to and through September 20, 2004.

Very truly yours,

A handwritten signature in black ink, appearing to read "James G. Votaw", written over the printed name.


James G. Votaw

Attachment

cc: John Katkish
Jeffrey J. Davidson

DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT, CORPS OF ENGINEERS
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Year ID

00 4130

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Operating Unit

North County

Site

Area

MARKS Number

FN:1110-1-8100g

Primary Document Type

Public Affairs/Community Relation

Secondary Document Type

Correspondence

Subject or Title

Request for extension of comment period regarding "Derivation of Site Specific DCGLs for North County Structures" (June 25, 2004)

Author/Originator

James Votaw

Company

Wilmer Cutler Pickerin

Date

7/20/2004

Recipient(s)

Sharon Cotner

Company (-ies)

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Version

Final

Original's Location

Central Files

Document Format

paper

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☒ North County

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Filed in Volume

8

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