



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
898 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

May 30, 2003

Regulatory Branch
CENAE-R-200300294

John Drobinski
ERM
399 Boylston Street, 6th Floor
Boston, MA 02116

Dear Mr. Drobinski:

This concerns your application on behalf of Raytheon Company for a permit to place fill material within approximately 1.5 acres of wetland located at 430 Boston Post Road in Wayland, Massachusetts. The comment period of the public notice, which described your proposal, has recently expired.

The enclosed correspondence was received in response to the notice. This is your opportunity to respond to those comments by giving us your proposed resolution or rebuttal. You may wish to contact the writer(s) directly to reach a mutual understanding.

Please respond in writing within 28 days from the date of this letter. If we do not hear from you by then, we will make our decision based on the information currently in our file.

You must also obtain a state license or approval state water quality certification. No work within our jurisdiction may be started until you receive a permit signed by our District Engineer or his authorized representative.

If you have questions concerning this matter, please contact me at (978) 318-8863 or at our toll free number 800-362-4367 if calling from within Massachusetts.

Sincerely,

A handwritten signature in cursive script that reads "Ted Lento".

Ted Lento

Project Manager
Permits & Enforcement Branch

Copy furnished:
Mark Christopher
Woodlot Alternatives, Inc
30 Park Drive
Topsham, ME 04086

Enclosure

05/15/2003 10:40 200300294 WOODLOT ALTERNATIVES PAGE 03

May 27, 2003

Attn: Mr. Ted Lento (by fax to 978-318-8303)
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, MA 01742-2751

Re: Former Raytheon Facility, 430 Boston Post Rd, Wayland
ACOE File# 200300294

Mr. Lento:

As you surely know, the May 26 stated public comment deadline on this matter fell on a holiday (Memorial Day), hence as a matter of law the deadline is today. As a member of the public, living within approximately one mile of the site, I now offer my comments. In addition, I request that ACOE hold a hearing on the matter.

My comments are as follows: All pollutants at the site need to be cleaned up. However, Raytheon is proposing to remediate only 1.5 acres of wetlands it deems most highly contaminated. Raytheon proposes to NOT clean up its remaining wetland contamination, using wetland disruption as its dodge. But Raytheon has the ability, if necessary, to create ADDITIONAL wetlands temporarily or permanently elsewhere on its historic 83-acre site. Timed appropriately, doing so would substantially mitigate the anticipated disruption to existing wetland services during a full remediation course encompassing all six acres of contamination.

Raytheon's own sampling data indicate the existence of PCBs well over the regulatory action threshold -- and needless to say, well over background -- scattered throughout wetlands spanning almost six acres at the site. See Raytheon's NOI of 5/15/03 at Appendix F (referencing test locations mostly shown in Exhibit 6).

Raytheon has resisted this proposition in several different ways, not all mutually consistent. First, it says the regulations don't require a full cleanup. Second, it says it's a matter of money. Third, it says the regulations PROHIBIT a full cleanup. Fourth, it says it doesn't own the pertinent land. Fifth, it says its proposal wins a study by Entrix Corporation comparing it to "the alternatives." Sixth, Raytheon says the "average" contamination in the unremediated area will be "only" 2000 ppb of PCBs, which it posits to be "No Significant Risk." From my end it appears that none of these statements are sufficiently substantiated, nor can they be. Accordingly, while I support cleanup of the 1.5 acre segment (noting, by the way, that much of it was never even leased, let alone owned, by Raytheon), I cannot support Raytheon's proposal to limit its wetland cleanup to ONLY those 1.5 acres.

Sincerely,

Stan Robinson
9 Wheelock Road
Wayland, MA 01778
508-358-2282

May 27, 2003

Ted Lento
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Ma 01742-2751

**RE: Wetland Remediation at Former Raytheon Facility, Wayland, MA. ACOE file #:
200300294**

Dear Mr. Lento,

Thank you for the opportunity to comment on the above-mentioned project. The project site is within the floodplain of the Sudbury River, a nationally designated wild and scenic river, and all remediation activities at the site are of great interest to the National Park Service (NPS) and the Sudbury, Assabet and Concord Wild and Scenic River Stewardship Council (RSC).

Twenty-nine miles of the Sudbury, Assabet and Concord Rivers have been nationally designated as Wild and Scenic Rivers due to their "outstandingly remarkable resource values," including scenery, history, literature, recreation and ecology. The National Park Service oversees administration of this designation and works closely with the River Stewardship Council to promote the long term protection of the river. The River Stewardship Council was created as part of the designation and includes representatives from each of the eight shoreline communities as well as two regional conservation organizations, the Commonwealth and federal agency representatives.

As the NPS and RSC evaluate Raytheon's plans to remediate its Wayland site, our primary concerns are the potential ecological impacts to the Sudbury River and its environs presented both by the currently contaminated condition of the floodplain and by Raytheon's proposed response action. The thoroughness of the risk assessment, especially how it addresses ecological risk, is of utmost importance to the River Stewardship Council.

Raytheon has identified an area of 1.5 acres to be excavated based on a risk assessment that addresses risks to human health, safety and welfare as well as the environment. We agree that the 1.5 acres must be remediated. In response to concerns voiced by the Town of Wayland, Raytheon has done further assessment of the site and has taken additional samples in and around the proposed excavation area in the river floodplain. Results confirm that the major area of contamination, of both PCBs and dioxins are within the 1.5 acre remediation area.

Levels of dioxins outside of the 1.5 acre area are 'on average' consistent with background levels of 1.1 to 1.7 picograms per gram (pg/g) according to ERM. However, ERM has also determined that the actual values are as high as 6.7 pg/g. Because of the vastness of the contaminated area of wetland, and other variables that are unavoidably part of any averaging computation process (such as the subjective decision about the inclusion of certain data points with very low contaminant concentrations or non-detect), we have concerns that certain areas of the site with elevated PCBs and/or other contaminants may be left as is, with actual concentrations remaining in places at levels significantly higher than the targeted average goal. The averaging analysis must be done very conservatively, with great consideration given to actual ecological risks posed by post-remediation residual contaminants. Remediation plans should not be finalized until a thorough and satisfactory risk assessment has been completed and evaluated by EPA. Of concern, are the areas on the 'margin' of the 1.5acre remediation area, which may or may not need to be remediated in order to adequately minimize ecological risk. When issuing this permit, the COE should provide flexibility to incorporate any changes to the size of the area to be remediated based on EPA's evaluation of the risk assessment.

In implementing the plans in place to excavate and restore the known problem area, Raytheon must take great care to protect the river, complete its assessment work comprehensively and expedite its response action. Raytheon anticipates commencing the excavation late this summer, during expected dry conditions, and completing the soil replacement and planting within a total of eight to twelve weeks. Assuming the risk assessment is completed very soon, we urge all permitting agencies, including COE, to expedite their review and approval process so that the floodplain excavation and initial restoration work may be completed by this fall. We have concerns that, if the work is not undertaken until 2004, the response action plan may be compromised by MWRA's planned release of additional waters to the Sudbury River next year, which would elevate the water level in the floodplains.

Erosion and flood control measures will be important during the entire remediation and restoration process as safeguards against unexpectedly severe weather. Special attention should be paid to ensuring that controls are in place during the reseeded and planting process. Monitoring must continue for at least five years to guarantee that the plantings survive and thrive, thereby restoring important wetland functions and values that are critical to the protection of the Sudbury River and its surrounding habitat. It will also be important to assure that only native species are included in the restoration plan and that every attempt will be made to prevent the introduction of invasive species to the restored wetland.

Thank you for this opportunity to comment. We look forward to working with all involved parties to ensure successful remediation and restoration of this site.

Sincerely,

Jamie Fosburgh, Manager
Rivers Program

CMG ENVIRONMENTAL, INC.

May 23, 2003

Mr. Ted Lento
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

**Re: Public Commentary on Proposed Wetlands Remediation
Former Raytheon Facility, 430 Boston Post Road, Wayland MA
ACOE File #200300294; CMG ID 2002-003**

Dear Mr. Lento:

Raytheon Company of Sudbury, Massachusetts has requested a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers (ACOE) to remediate approximately 1½ acres of wetlands at the above-referenced property (the Site). The following is public commentary on Raytheon's proposed remediation, as set forth in the February 6, 2003 "Regulatory Permit Application for Wetland Impacts Resulting from Remediation of Oils and Hazardous Materials in Sudbury River Floodplain Wetlands, Wayland, Massachusetts," prepared by Raytheon's subcontractors Woodlot Alternatives, Inc. (Woodlot) of Topsham, Maine and Environmental Resources Management, Inc. (ERM) of Boston, Massachusetts.

For the record, the Wayland Board of Selectmen has retained me to provide technical review of document submittals and other activities at the Site on behalf of the Town of Wayland.

GENERAL COMMENT

Wayland's primary concern is that Raytheon has not adequately delineated the extent of wetlands sediment requiring remediation through excavation and off-Site disposal. Despite numerous sampling rounds comprising well over 100 sample locations throughout the wetland portion of the Site, there is still some question as to the actual extent of the area requiring remediation.

The Town does not want Raytheon to be in the position of having to seek additional authorization from the ACOE should the final area slated for remediation significantly exceed the approximately 1½ acres applied for. Therefore, Wayland seeks clarification from ACOE as to how much additional area would constitute a 'significant' increase in the remediation area extent.

SPECIFIC COMMENTS

CMG has subcontracted Dr. Paul G. Davis from Bay State Environmental Consultants, Inc. of East Longmeadow, Massachusetts to provide expert commentary on the remediation proposed by Woodlot and ERM. Dr. Davis' comments are primarily directed to the Wayland Conservation Commission. I have attached his 5-page letter to this one for your reference. However, we would like to highlight the following to the ACOE:

600 CHARLTON STREET, SOUTHBRIDGE MA 01550
PHONE (508) 765-8510
FAX (508) 765-8515

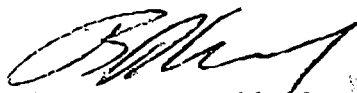
PUBLIC COMMENTS TO U.S. ACOE
FORMER RAYTHEON FACILITY, WAYLAND MA

CMG ENVIRONMENTAL, INC.
MAY 23, 2003

- How will Raytheon avoid soil compaction during access through the non-ARAH wetland areas? Woodlot stated that 'natural processes' would reverse any such soil compaction. The Town would like an explanation of these processes.
- Manual removal of 100 cubic yards of contaminated sediment (from the small, isolated remediation area northwest of the ARAH) may not be practical, as this volume of sediment would fill 500-1,000 wheelbarrows.
- BEC recommends additional control of invasive species within 100 feet of the remediation area by manually removing seed heads early in the growing season. Dr. Davis suggests this should be done in the year of remediation activities, and for two follow-up growing seasons.
- The only reseeding program in the upland buffer zone is with annual rye. This is inadequate, and Raytheon should plan on reseeding a diversity of herbaceous plants, and possibly also woody plants.

I thank you in advance for your timely response to this commentary on behalf of the Town of Wayland.

Sincerely,
CMG ENVIRONMENTAL, INC.



Benson R., Gould, LSP, LEP
Principal

Attachment: May 23, 2003 letter from BEC

cc: Environmental Resources Management (John C. Drobinski, P.G., LSP)
Mr. Devens Hamlen, Wayland
Mr. J. Andrew Irwin, Wayland
Ms. Anette Lewis, Wayland
Massachusetts DEP (Pat Donahue, Larry Immerman, Karen Stromberg)
National Parks Service (% Jamie Fosberg)
Mr. Lewis Russell, Wayland
Mr. Harvey and Ms. Linda Segal, Wayland
Ms. Kimberly Tisa, U.S. EPA Region I
Wayland Board of Health PIP Repository (% Steve Calichman, Health Director)
Wayland Board of Selectmen (% Executive Secretary Jeff Ritter)
Wayland Business Center, LLC (% Paula Phillips, Congress Group Ventures)
Wayland Conservation Commission (% Brian Monahan)
Wayland Public Library PIP Repository (% Ann Knight)
Wayland Water Department (% Donald Hollender)

(no attachment with cc)



**BAYSTATE
ENVIRONMENTAL
CONSULTANTS
INC.**

Civil Engineers
Environmental
Scientists

May 23, 2003

Benson R. Gould, LSP, LEP
CMG Environmental, Inc.
600 Charlton Street
Southbridge, MA 01550

RE: Review of Raytheon Company, "Regulatory Permit Application for Wetland Impacts Resulting from Remediation of Oils and Hazardous Materials in Sudbury River Floodplain Wetlands, Wayland, Massachusetts" ERM and Woodlot Inc., 2003.
BEC File No. 03-0504

Dear Mr. Gould:

As per our contract with CMG Environmental, Baystate Environmental Consultants, Inc. (BEC) has reviewed of the above referenced document relative to the pending wetland permit applications with the Army Corps of Engineers (Section 404 Permit) and the Wayland Conservation Commission (Notice of Intent). As stated in the Executive Summary, this same document forms the available technical material submitted in support of each application.

At this time our review has been limited to a technical reading of the above referenced document and has not had the added benefit of a field review to visually confirm onsite conditions constraints and issues which may be a factor during the site remediation efforts. Such onsite review may be desired in order to further refine the comments in this technical review and confirm some of these assumptions.

My comments below are grouped into four general categories, reflecting the overall organization of the report:

1. Ecological Documentation;
2. Assessment of Impact Area;
3. Remediation Plan; and
4. Regulatory Compliance.

Ecological Documentation: In general, it appears that the technical detail provided as part of the application materials is more than adequate to describe the ecological site conditions and the existing wetland resources within and adjacent to the Area of Readily Apparent Harm (ARAH). As an emergent wetland and floodplain along the Sudbury River the overall wetland complex has high functional values for wildlife habitat, aquatic habitat, and flood storage, providing an important and critical riparian corridor associated with this major riverine feature within the Commonwealth of Massachusetts.

298 North Main Street
East Longmeadow, MA 01028
Tel (413) 525-3822
Fax (413) 525-8348

Other Office:
East Hartford, CT



Rare wildlife and plant species were noted. The positioning of this site immediately adjacent to the Great Meadows National Wildlife Refuge and Wayland Conservation Commission Woodlands compounds the significance of this riparian wetland complex and the various functional values, especially with regard to wildlife habitat, presenting a large relatively unfragmented riverine corridor with expansive adjoining wetlands.

Assessment of Impact Area: While considerable documentation is provided in the appendices, the criteria and technical support information regarding the establishment of the ARAH requires better explanation or documentation. Since the definition of the ARAH defines the area of wetland to be subject to remediation efforts, the applicant needs to clearly demonstrate that the area of biological effect has been adequately characterized.

1. The technical criteria for establishing the ARAH was the presence of stunted vegetation (as measured by stem density) within areas with high Oil and Hazardous Materials (OHM). While the OHM criteria and data are provided, the vegetative criteria were not clearly defined and seem somewhat subjective.
2. Appendix F does not appear to contain the stem density counts as cited in Section 3.3.1. Appendix B does contain some stem counts, but not for all transect points.
3. It also seems quite possible that there is a broader area of more subtle impacts might be reflected in plant height, reproductive morphology, or other factors that might not be so readily apparent from a visual standpoint, but indicative of sub-lethal effects on vegetation.
4. A detailed vegetative composition analysis and comparison of areas immediately outside the ARAH with reference communities in non-impacted sites further away from the Raytheon facility would also be useful in establishing whether the ARAH is of sufficient size to adequately address impacts to the wetland community.
5. In addition to species composition and density information, morphological changes in the plants in response to environmental stress may be occurring observed outside of the defined limits of the ARAH, which would not be observed simply by a criterion based solely on stem density and OHM concentrations.
6. The potential for effects on resident the wildlife within the area were not identified. Some spot checks on body size, morphological deformities or body burdens of any of the chemicals identified within the ARAH would have been useful information.

Restoration Plan: The basic concept selected for wetland restoration plan, with the removal of contaminated soils, placement of the soils, and revegetation of the area, seems to be the appropriate methodology for addressing the impacts. However, the following comments and recommendations are made.

1. The report clearly indicates that groundwater remediation is not part of this application. However, despite a statement that the wetland hydrology is surface water dependent, significant groundwater support of the hydrology of the wetland areas, both within and outside of the ARAH, cannot be ruled out at this time. Therefore, any future treatment of



Benson Gould, CMG Environmental, Inc.
Review of Raytheon Wetland Remediation Plan Report
BEC File No. 03-0504
May 23, 2003

the groundwater requiring pumping and treatment could have some potential to adversely affect the hydrology of the wetland, dependent upon pumping rates, groundwater conductivity, and other factors not addressed in this report. The Commission may wish to reserve the right to review any future such remedial actions and require further documentation at that time, subject to either amended or new permitting.

2. Potential wetland impacts along the construction access routes do not appear to have been defined since these areas seem to be located beyond the area of the wetland resource evaluation.
3. How is soil compaction to be avoided during access through the non-ARAH wetland areas? It is stated that soil compaction would be reversed by natural processes. Please explain these processes.
4. The portable dam is indicated to be only located on the water-ward side. How will back-flooding around the dam on the landward side be prevented in the event of a rapid rise in flood waters?
5. Dewatering of site is proposed during excavation with the treatment of the removed water. How much water expected and what is the anticipated impact on adjacent wetland areas?
6. The sequence of excavation and soil replacement is not well defined. Will all excavation within the ARAH be completed prior to any backfill or will the excavation and backfill be accomplished within subunits based upon the temporary roadway layout? How will the contractor "back-out" of the site, removing the temporary roads and excavating the soils beneath. If the area is worked in subunits, with clean fill backfill in sections, how will the contractor avoid mixing of existing ARAH soils with clean replacement soils?
7. What special handling procedures will be necessary with the saturated soils to avoid secondary contamination?
8. Is hand removal of 100 CY of contaminated soils from the isolated ARAH's a workable practical solution? This would be 500-1000 wheelbarrow trips, ignoring the need to replace the soils.
9. The applicant should provide additional detail to explain how the existing topography will be matched to the final topography, and how micro-topography will be achieved.
10. The proposed planting density and diversity of the herbaceous plants and the proposed seed mixes generally seems appropriate within the defined ARAH. However, with the proposed use of micro-topography, selective planting relative to minor changes in grading may be appropriate. In addition, there are other seed mixes available from the



Benson Gould, CMG Environmental, Inc.
Review of Raytheon Wetland Remediation Plan Report
BEC File No. 03-0504
May 23, 2003

supplier for areas with more persistent surface water which may be created by the proposed micro-topography.

11. The proposed control of invasive species is proposed only within the ARAH and only after the uncontaminated wetland replacement soils have been placed and planted. Pretreatment of invasive species within areas adjacent (<100 ft) wetland areas is highly advisable, especially given construction in August/September. In order to minimize seeding of the mitigation site by the adjacent invasive species, the contractor should remove invasive species seed heads from adjacent wetlands early in the growing season as practical, prior to placement of wetland replacement soils. Two follow-up growing seasons should have similar treatment.
12. The stated goal for restored hydrology of 1 week of surface saturation in the growing season is not appropriate for this area and the type of wetland system to be restored (pg 55).
13. The upland buffer zone revegetation is limited to seeding with annual rye (pg 68). This treatment seems inadequate and should be more reflective of existing conditions (documentation not provided) with reseeded with a diversity of native herbaceous species and replanting of woody species, as necessary.

Regulatory Compliance:

1. The conditions for the Limited Project Provision for wetland site remediation [310 CMR 10.53(3)(q)] appear to be able to be adequately met for the project. However, as with all Limited Project Provisions, the Commission retains the right to apply special conditions to seek the appropriate level of protection of the wetland resources being affected by the project.
2. The requirement for obtaining a Certificate of Compliance is not mentioned in Section 7.6.6 (pg 76) and should be included.
3. An enforceable mechanism needs to be defined to ensure implementation of monitoring recommendations for remedial measures.



Page 5 of 5

Benson Gould, CMG Environmental, Inc.
Review of Raytheon Wetland Remediation Plan Report
BEC File No. 03-0504
May 23, 2003

In summary, it would appear that the overall site remediation approach is appropriate for the ARAH. Additional detail is needed to ensure that the dimensions of the ARAH are appropriate and that the work to be performed is adequately protective of the environment. We appreciate the opportunity to provide commentary and look forward to further review of the project, towards its successful implementation. Should you have any questions do not hesitate to contact this office.

Very truly yours,

BEC, Inc.

A handwritten signature in black ink, appearing to read 'Paul G. Davis', is written over a horizontal line.

Paul G. Davis, Ph.D., P.W.S., CPSSc
Senior Environmental Scientist



CONGRESS GROUP VENTURES

27 May 2002

U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Attention: Mr. Ted Lento


Subject: Army Corps of Engineers Section 404 Permit Review
ACOE File Number 200300294
Wetland Remediation Permit Application
Former Raytheon Facility
430 Boston post Road
Wayland, Massachusetts (the "Site")
RTN 3-13302, Permit No. 133939

Ladies and Gentlemen:

As the owners of the property at 430 Boston Post Road, we are writing to encourage your timely issuance of the Corps of Engineers permit under Section 404 of the Clean Water Act to Raytheon Company for the placement of fill materials within approximately 1.5 acres of wetland located at the Site. Public notice of this matter was issued 24 April 2003 referencing File Number: 200300294.

Together with our consultants, Haley & Aldrich, Inc., we have reviewed Raytheon's remediation plans for the wetland, have had input to Raytheon's plan, and agree with the approach. The contamination has severely limited the use of our property and is causing significant economic hardship. Delay in the timely issuance of a permit would not only result in Raytheon missing this summer's scheduled remediation of the wetland, but would delay the project until at least 2005. The MWRA's planned discharge to the Sudbury River in the summer of 2004 will prevent the remediation of the wetland during that period of time. Such a delay would further exacerbate the economic hardship we are experiencing.

Sincerely,
CONGRESS GROUP VENTURES



Paula S. Phillips
Vice President

G:\12069\044\Letter to the COB.doc

RECEIVED

MAY 28 2002

REGULATORY DIVISION



United States Department of the Interior

NATIONAL PARK SERVICE

Boston Support Office

15 State Street

Boston, Massachusetts 02109-3572

IN REPLY REFER TO:

L5815 (BSO-W&SR)

May 27, 2003

Ted Lento
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Ma 01742-2751

**RE: Wetland Remediation at Former Raytheon Facility, Wayland, MA. ACOE file #:
200300294**

Dear Mr. Lento,

Thank you for the opportunity to comment on the above-mentioned project. The project site is within the floodplain of the Sudbury River, a nationally designated wild and scenic river, and all remediation activities at the site are of great interest to the National Park Service (NPS) and the Sudbury, Assabet and Concord Wild and Scenic River Stewardship Council (RSC).

Twenty-nine miles of the Sudbury, Assabet and Concord Rivers have been nationally designated as Wild and Scenic Rivers due to their "outstandingly remarkable resource values," including scenery, history, literature, recreation and ecology. The National Park Service oversees administration of this designation and works closely with the River Stewardship Council to promote the long term protection of the river. The River Stewardship Council was created as part of the designation and includes representatives from each of the eight shoreline communities as well as two regional conservation organizations, the Commonwealth and federal agency representatives.

As the NPS and RSC evaluate Raytheon's plans to remediate its Wayland site, our primary concerns are the potential ecological impacts to the Sudbury River and its environs presented both by the currently contaminated condition of the floodplain and by Raytheon's proposed response action. The thoroughness of the risk assessment, especially how it addresses ecological risk, is of utmost importance to the River Stewardship Council.

Raytheon has identified an area of 1.5 acres to be excavated based on a risk assessment that addresses risks to human health, safety and welfare as well as the environment. We agree that the 1.5 acres must be remediated. In response to concerns voiced by the Town of Wayland, Raytheon has done further assessment of the site and has taken additional samples in and around

RECEIVED
MAY 29 2003
REGULATORY DIV

the proposed excavation area in the river floodplain. Results confirm that the major area of contamination, of both PCBs and dioxins are within the 1.5 acre remediation area.

Levels of dioxins outside of the 1.5 acre area are 'on average' consistent with background levels of 1.1 to 1.7 picograms per gram (pg/g) according to ERM. However, ERM has also determined that the actual values are as high as 6.7 pg/g. Because of the size of the contaminated area, and other variables associated with the averaging computation process, we have concerns that certain additional areas of the site may warrant remediation. Of concern, are the areas on the 'margin' of the 1.5 acre remediation area, which may or may not need to be remediated in order to adequately minimize ecological risk. Remediation plans should not be finalized until a thorough and satisfactory risk assessment has been completed and evaluated by EPA.

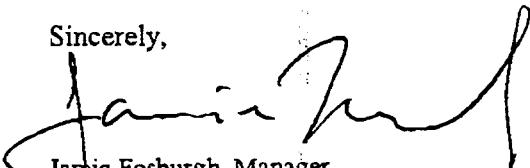
In implementing the plans in place to excavate and restore the known problem area, Raytheon must take great care to protect the river, complete its assessment work comprehensively and expedite its response action. Raytheon anticipates commencing the excavation late this summer, during expected dry conditions, and completing the soil replacement and planting within a total of eight to twelve weeks. Assuming the risk assessment is completed very soon, we urge all permitting agencies, including COE, to expedite their review and approval process so that the floodplain excavation and initial restoration work may be completed by this fall. We have concerns that, if the work is not undertaken until 2004, the response action plan may be compromised by MWRA's planned release of additional waters to the Sudbury River next year, which would elevate the water level in the floodplains.

Erosion and flood control measures will be important during the entire remediation and restoration process as safeguards against unexpectedly severe weather. Special attention should be paid to ensuring that controls are in place during the reseeded and planting process. Monitoring must continue for at least five years to guarantee that the plantings survive and thrive, thereby restoring important wetland functions and values that are critical to the protection of the Sudbury River and its surrounding habitat. It will also be important to assure that only native species are included in the restoration plan and that every attempt will be made to prevent the introduction of invasive species to the restored wetland.

In conclusion, the National Park Service supports the issuance of this COE permit to remediate the 1.5 acre "core contamination" area of wetlands at the former Raytheon facility in Wayland, and this letter serves as a sign off under Section 7 of the Wild and Scenic Rivers Act. However, if the EPA's approval of the risk assessment recommends any changes/expansion to the existing remediation plan, we request the opportunity to review any proposed amendment to the work/COE permit that may result.

Thank you for this opportunity to comment. We look forward to working with all involved parties to ensure successful remediation and restoration of this site.

Sincerely,



Jamie Fosburgh, Manager
Rivers Program