



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JUN 1 1994

Honorable Jim Sasser
United States Senate
Washington, DC 20510-4944

Dear Senator Sasser:

Thank you for your letter of April 26, 1994, regarding the continuing concerns of Mr. Ernest A. Oliver of Chattanooga, Tennessee about illegal disposal of wastes. My letter of March 15, 1994 addressed the same basic issues that he raised earlier and are reiterated in the current letter. No new, substantive issues are raised.

A copy of Mr. Oliver's "Tennesseeagate" was not included for review with his letter, but it appears that the alleged violations need to be broken into two categories - past and current violations.

The alleged past violations have been investigated, as indicated in the earlier letter. It appears at this time that there is not sufficient evidence on alleged past violations for the Environmental Protection Agency (EPA) to pursue any productive investigations beyond what has already been done. However, in order to ensure that we have exhausted every avenue in responding to Mr. Oliver's concerns, we are forwarding the information provided in his letters to our Criminal Investigation Division to determine if other actions may be warranted.

Available information indicates that the current Hydro-Vac pretreatment system can adequately treat the wastewater in spite of any alleged design deficiencies. Also, the City of Chattanooga has the necessary enforcement tools to deal with any future violations. The alleged design deficiencies of the pretreatment facility do not violate any federal regulations as long as the federal and local pretreatment requirements are being met. Again, as indicated in the earlier letter, our investigations have not revealed current handling of any hazardous wastes as defined in the federal regulations.

If we can be of further assistance, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "John H. Hankinson, Jr.", written over a light-colored background.

John H. Hankinson, Jr.
Regional Administrator