

## DECOULOS & COMPANY

ENVIRONMENTAL ENGINEERING & LAND PLANNING

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VIA EMAIL

Monday, October 18, 2010

Timothy M. Jones, Presiding Officer  
Office of Appeals & Dispute Resolution  
Massachusetts Department of Environmental Protection  
One Winter Street  
Boston, MA 02108

*RE: Letter from Lynn Peterson Read dated October 14, 2010  
Matter of Decoulos, LSP-10AP-01*

Dear Presiding Officer Jones:

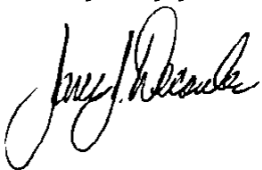
I am responding to the letter from Lynn Peterson Read to you dated October 14, 2010 regarding my Motion to Present Exhibits at Hearing dated October 13, 2010 (the "Motion").

First, it is my understanding that all motions, replies and objections in this forum are required to comply with the Standard Adjudicatory Rules of Practice and Procedure at 801 CMR 1.00 *et seq.*

Secondly, I argued in the Motion that Chalk No. 2 had been filed as Exhibit RR-8. The Board had an opportunity through its witnesses to object to the Exhibit during its rebuttals and to strike the Exhibit if it chose. There is no basis for Ms. Read to state that proposed Chalk No. 2 "contains inaccuracies and misrepresentation in its labeling of sampling results and the nature of the recovery trench constructed at the Eagle Gas site."

I respectfully request that Ms. Read's letter of October 14, 2010 be struck from this record.  
Thank you.

Very truly yours,



James J. Decoulos  
[jamesj@decoulos.com](mailto:jamesj@decoulos.com)

cc: Lynn Peterson Read, Board of Registration of  
Hazardous Waste Site Cleanup Professionals *via email*