

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** JP Freire[jpfreireepa@gmail.com]  
**From:** Konkus, John  
**Sent:** Tue 3/21/2017 9:07:36 PM  
**Subject:** FW: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

JP and Samantha:

These answer were drafted by Region 5 and their attorneys. We are looking for guidance as to if we want to respond and if so if these answers are okay.

## Ex. 5 - Deliberative Process

**From:** Milbourn, Cathy  
**Sent:** Tuesday, March 21, 2017 4:56 PM  
**To:** Konkus, John <konkus.john@epa.gov>  
**Subject:** FW: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

**From:** Kelley, Jeff  
**Sent:** Tuesday, March 21, 2017 4:20 PM  
**To:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

Here are draft answers ... please let me know if we're good to go (reporters' deadline was about an hour ago):

**Who are the potentially responsible parties involved in the settlement?**

## **Ex. 5 - Deliberative Process**

What changed to cause these PRPs to provide funds for Zone 2, which was previously in dispute?

## **Ex. 5 - Deliberative Process**

How will the new funds be allocated in combination with the \$26 million from the 2014 settlement?

## **Ex. 5 - Deliberative Process**

Do these negotiations predate the current administration, or was this Administrator Pruitt's own initiative?

## **Ex. 5 - Deliberative Process**

At what point does EPA have to amend the 2014 consent decree or ROD to reflect this new settlement? What about to reflect changes to clean-up plans in Zone 1? Does that amendment process take place in court and with public input?

## **Ex. 5 - Deliberative Process**

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The press releases says \$16 million was secured, but as far as we can tell the final Z2&3 ASAOC only outlines \$9.5 million to be paid by Respondents. Can you point us to the other \$6.5 million or is there a mistake in the press release?

## Ex. 5 - Deliberative Process

Are efforts ongoing to secure long term funding for Zone 2 remediation?



The Z2&3 ASAOC states no Z2 exterior removal actions shall commence after November 30, 2017— does this mean actions that have already started can be completed or does it mean no more work can be done after November 30?

## Ex. 5 - Deliberative Process

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**Jeff Kelley**  
*Director, Office of External Communications*  
*U.S. EPA Region 5*  
*ph: 312-353-1159*

**From:** Kelley, Jeff

**Sent:** Tuesday, March 21, 2017 1:09 PM  
**To:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

Yes, working on it. John, do you want to see before we send? Below is one draft answer that I know we'd like you to take a look at since it mentions the Administrator.

**Do these negotiations predate the current administration, or was this Administrator Pruitt's own initiative?**

## Ex. 5 - Deliberative Process

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**Jeff Kelley**  
*Director, Office of External Communications  
U.S. EPA Region 5  
ph: 312-353-1159*

**From:** Milbourn, Cathy  
**Sent:** Tuesday, March 21, 2017 1:04 PM  
**To:** Kelley, Jeff <kelley.jeff@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>  
**Subject:** FW: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

Jeff- are you going to add these to other list of Q's for this reporter?

**From:** Nick Janzen [mailto:njanzen@nipr.fm]  
**Sent:** Tuesday, March 21, 2017 2:00 PM  
**To:** Ropeik, Annie <aropeik@purdue.edu>  
**Cc:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>  
**Subject:** Re: : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

Hi Cathy and Jeff,

A couple of more questions:

- The press releases says \$16 million was secured, but as far as we can tell the final Z2&3 ASAOC only outlines \$9.5 million to be paid by Respondents. Can you point us to the other \$6.5 million or is there a mistake in the press release?
- Are efforts ongoing to secure long term funding for Zone 2 remediation?
- The Z2&3 ASAOC states no Z2 exterior removal actions shall commence after November 30, 2017— does this mean actions that have already started can be completed or does it mean no more work can be done after November 30?

Just looking for some clarification here. Our deadline is still today at 3 PM ET. A phone interview would be preferable— if you're available for that, please call Annie at 765-494-0652 or 907-441-1419. A written response would still be very helpful, too.

Thanks so much for your help,

Nick

—

Nick Janzen  
Energy and Environment Reporter

Indiana Public Broadcasting

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cell: 504-914-3373

office: 260-918-1093

On Mar 20, 2017, at 5:22 PM, Ropeik, Annie <[aropeik@purdue.edu](mailto:aropeik@purdue.edu)> wrote:

Hi Cathy, thanks.

First and foremost, please provide a copy of the settlement. These next questions are in order of priority.

- Who are the potentially responsible parties involved in the settlement?
- What changed to cause these PRPs to provide funds for Zone 2, which was previously in dispute?
- How will the new funds be allocated in combination with the \$26 million from the 2014 settlement?
- Do these negotiations predate the current administration, or was this Administrator Pruitt's own initiative?
- At what point does EPA have to amend the 2014 consent decree or ROD to reflect this new settlement? What about to reflect changes to clean-up plans in Zone 1? Does that amendment process take place in court and with public input?

Our deadline is **3pm Eastern Tuesday, 3/21**. Feel free to send answers or documents separately as you have them.

Best,

Annie Ropeik

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**Annie Ropeik**  
Reporter, Economy & Business

Indiana Public Broadcasting

(765) 494-0652 desk

(907) 441-1419 cell

**From:** "Milbourn, Cathy" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Date:** Monday, March 20, 2017 at 5:05 PM  
**To:** Annie Ropeik <[aropeik@purdue.edu](mailto:aropeik@purdue.edu)>  
**Cc:** "Kelley, Jeff" <[kelley.jeff@epa.gov](mailto:kelley.jeff@epa.gov)>

**Subject:** : EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind

**Hi Anne,**

**Please send your questions in writing.**

**Thank you !**

**Cathy**

**From:** Annie Ropeik <[aropeik@purdue.edu](mailto:aropeik@purdue.edu)>  
**Date:** Monday, March 20, 2017 at 4:32 PM  
**To:** "[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Cc:** Nick Janzen <[njanzen@nipr.fm](mailto:njanzen@nipr.fm)>, "Bassler, Rachel" <[Bassler.Rachel@epa.gov](mailto:Bassler.Rachel@epa.gov)>  
**Subject:** Re: EPA set to resume cleanup at USS Lead Superfund site in East Chicago, Ind.

Hi Cathy,

I'm one of the reporters covering East Chicago for Indiana Public Broadcasting. Can you please add the following emails to your distribution list, along with the Lakeshore address you used below:

- Me, business reporter Annie Ropeik - [aropeik@purdue.edu](mailto:aropeik@purdue.edu)
- digital producer Lauren Chapman - [lchapman@wfyi.org](mailto:lchapman@wfyi.org)
- environmental reporter Nick Janzen - [njanzen@nipr.fm](mailto:njanzen@nipr.fm)
- Managing editor Sarah Neal-Estes - [snealest@indiana.edu](mailto:snealest@indiana.edu)

This will ensure your press releases get to us ASAP. We work alongside Lakeshore Public Media but are spread across the state.

Secondly, Nick Janzen (copied) and I have some follow-up questions about the release you sent, regarding the new \$16M settlement, that we'd like to address in a telephone interview to be edited into soundbites for broadcast if possible. Could we do that tomorrow? If not, we can put questions in writing, but our deadline is 3:30pm ET Tuesday 3/21 either way.

Feel free to reach out any time — thank you!

Best,

Annie Ropeik

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**Annie Ropeik**  
Reporter, Economy & Business

Indiana Public Broadcasting

(765) 494-0652 desk

(907) 441-1419 cell

**Catherine C. Milbourn**

**Office of Media Relations**

**Office of the Administrator**

**U.S. EPA HQ**

**202-564-7849 (office)**

**202-420-8648 (mobile)**

Milbourn.cathy@epa.gov