

Message

From: Laws, Elliott [ELaws@crowell.com]
Sent: 5/10/2017 9:03:49 PM
To: Davis, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7fca02d1ec544fbbbd6fb2e7674e06b2-Davis, Patr]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Fotouhi, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=febaf0d56aab43f8a9174b18218c1182-Fotouhi, Da]; Breen, Barry [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1b44bce1a71e4a95acaf82f2fbc858b0-BBREEN]
Subject: FW: Superfund Administrative Reforms
Attachments: Model-Purchase-and-Sale-Agreement-for-RACER-Properties-LLC.pdf; Ewing remediation and redevelopment summary 050517.pdf; Proposed Survey of BF Buyers 05.04.2017.pdf

Sorry for the resend but Patrick's email address is wrong on the EPA website. I'm hoping this is the correct structure.

Elliott

Elliott P. Laws

Ex. 6

Crowell & Moring LLP | www.crowell.com
1001 Pennsylvania Avenue NW
Washington, DC 20004

This message contains privileged and confidential information. IF IT WAS SENT TO YOU BY MISTAKE, DO NOT READ IT. Instead, please notify the sender (or postmaster@crowell.com) by reply e-mail, and delete this e-mail. Unauthorized dissemination, forwarding or copying of this e-mail is strictly prohibited.

From: Laws, Elliott
Sent: Wednesday, May 10, 2017 4:59 PM
To: Brown, Byron; Fotouhi.David@epa.gov; Breen, Barry; Patrick.davis@Epa.gov
Subject: Superfund Administrative Reforms

Gentlemen – thank you for taking the time last week to discuss the history of some of the Superfund Administrative Reforms instituted by the program over the years as well as some possible options for additional reforms. As we discussed, I am attaching the following:

1 – a link to the RACER Trust Settlement Agreement and related documents (In re Motors Liquidation Company, *et al.*, f/k/a General Motors Corp., *et al.*; Case No. 09-50026; Bankr. S.D.N.Y):
http://www.racertrust.org/About_RACER/Settlement_Agreement.

2 – a copy of a standard form RACER Trust Purchase and Sale Agreement with environmental provisions affecting both the Trust and the purchaser of the property highlighted in yellow.

3 – a RACER analysis of the likely steps that Atlantic Realty will undertake in order to construct residential properties at the Trust's Delphi Trenton Industrial Land property in Ewing, NJ. Since the determination of what additional environmental work required to move the portion of the property designated for residential from the Trust level of cleanup to a residential is between the purchaser and the NJ Department of Environmental Protection, the Trust Cleanup Manager has generally described process and the likely steps that the purchaser will be required to take.

4 – a draft of a survey RACER is considering undertaking to determine the reasons why environmentally impaired properties (primarily brownfields) may or may not be purchased by developers or companies. We would welcome any comments that you might have.

Lastly, I expect the invitation for Administrator Pruitt to visit the FMC OU of the East Michaud Flats Superfund Site in Pocatello, ID to be forthcoming from FMC Corp. and ValleyAgronomics, LLC within the next week.

Please feel free to contact me if you have any questions on the materials provided or if you wish to further discuss the Superfund program.

Elliott P. Laws

elaws@crowell.com

Direct Ex. 6 Fax: 1.202.322.9511

Crowell & Moring LLP | www.crowell.com

1001 Pennsylvania Avenue NW

Washington, DC 20004

Privileged and Confidential
Attorney-Client Communication
Attorney Work Product

This message contains privileged and confidential information. IF IT WAS SENT TO YOU BY MISTAKE, DO NOT READ IT. Instead, please notify the sender (or postmaster@crowell.com) by reply e-mail, and delete this e-mail. Unauthorized dissemination, forwarding or copying of this e-mail is strictly prohibited.