

AR226-1684

From: Bernard J Reilly on 10/13/2001 08:08 AM
To: rharris@environcorp.com, swashburn@environcorp.com
cc:
Subject: Re: Action Items from Meeting with WVDEP/DAQ - Privileged Communication

----- Forwarded by Bernard J Reilly/AE/DuPont on 10/13/2001 08:08 AM -----
From: Bernard J Reilly on 10/13/2001 08:07 AM
To: M. Ann Bradley cc: John R Bowman, Paula Durst-Gillis, Andrea V Malinowski, Heather H. Jones, Stephanie R Timm
Subject: Re: Action Items from Meeting with WVDEP/DAQ - Privileged Communication ☐

I was not on the call with the DAQ, but my conversation with Ann late Friday, coupled with this note suggest we are not on the same page as the DAQ on whether when assessing potential off-plant impacts they should focus on acute exposures, e.g. one-hour or 8-hour, as we often do in a workplace for TLV/AELs, or chronic exposures, i.e. the annual average concentration in the community.

I believe that we are of the strong view that since any risk to APFO is chronic that the annual average concentration in the community is the proper focus. Is this correct? If so, seems there is an urgent need to reach agreement with the DAQ to avoid needlessly alarming modeling, e.g. impact maps showing large areas around the plant above (wrong) standards. Do we know if Dr Staats agrees the focus should be chronic?

-Bernie

M. Ann Bradley (Spilman Thomas & Battle)

 M. Ann Bradley (Spilman Thomas & Battle)
10/12/2001 05:55 PM

To: Bernard J Reilly cc: John R Bowman, Paula Durst-Gillis, Andrea V Malinowski, Heather H. Jones, Stephanie R Timmermayer
Subject: Action Items from Meeting with WVDEP/DAQ

Bernie:

As you and I have discussed, as a result of our meeting with the agency today there are several tasks that need to be undertaken. To that end, could you please forward the following email to Bob Ritchey. Thanks.

***Privileged and Confidential
Attorney Work Product
Prepared in Anticipation of Litigation***

Bob:

In connection with our negotiations with the WVDEP DAQ concerning consent orders, we are requesting the following items be prepared:

1. We need language to be drafted that will ultimately be added to the Mult-Media Order concerning reductions in emissions of APFO to air and water.
2. We need modeling of emissions which would result from the revised permit application submitted on Oct. 4, 2001 for Permit R13-815D.
3. We need someone at DuPont to determine what percentage of all air emissions reductions is represented by the reductions from the dryers due to the new scrubbers and stack modifications.
4. We need an evaluation of DAQ's air emissions modeling results as depicted in charts provided

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