

Message

From: Loren R. Dunn [LDunn@bdlaw.com]
Sent: 9/27/2017 10:57:06 PM
To: Opalski, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b5ed6410d934bf699a008a252791a55-Opalski, Dan]; Peter Saba [psaba@schm.com]; Bilbrey, Sheryl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=45612dba9a7f4a718d12e27feec7590f-Bilbrey, Sh]; Pirzadeh, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae309e0a52a42cd847709b39bc2239a-Pirzadeh, Michelle]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]; Woolford, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a70358e7660435cbe6afa87b7b9b71b-Woolford, James]; Mackey, Cyndy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2f2b414786040ee8d75a21fa1c04a9b-Mackey, Cyndy]; Gustavson, Karl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=242318f48f264976aeeb0008f0a44210-Gustavson, Karl]; Sheldrake, Sean [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d16e2780a4094bba82daaa5283a71572-Sheldrake, Sean]; Cora, Lori [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c8850941bf1540c796559dce75c2f5ee-Cora, Lori]; Ebright, Stephanie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6fe08cfbe17940aabd4d999a19eada04-Ebright, Stephanie T.]; Zhen, Davis [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2a43e2ddfd44abbb0329c0a17d06ec9-Zhen, Davis]; Ingemansen, Dean [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=80449989b40b42ec8202ed034c75b237-Ingemansen, Dean]; greg.christianson (greg.christianson@morganlewis.com) [greg.christianson@morganlewis.com]; richard.george (richard.george@pgn.com) [richard.george@pgn.com]; Karen TRAEGER (karen.traeger@external.total.com) [karen.traeger@external.total.com]; J.W. Ring (JWRing@ringbenderlaw.com) [JWRing@ringbenderlaw.com]; Christine L. Hein (CHein@ringbenderlaw.com) [CHein@ringbenderlaw.com]; David C. Weber [DWeber@bdlaw.com]
CC: Matteus Vaga [MVaga@bdlaw.com]
Subject: RE: Portland Harbor - Pre-RD Investigation and Baseline Sampling - Revised Work Plan

Thanks Dan - - we appreciate you guys keeping things rolling. If it would help, I can see if we can set up a conference room for an in-person session.

Loren

Loren R. Dunn
Principal

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From: Opalski, Dan [mailto:Opalski.Dan@epa.gov]
Sent: Wednesday, September 27, 2017 3:45 PM
To: Peter Saba; Bilbrey, Sheryl; Pirzadeh, Michelle; Kelly, Albert; Woolford, James; Mackey, Cyndy; Gustavson, Karl; Sheldrake, Sean; Cora, Lori; Ebright, Stephanie; Zhen, Davis; Ingemansen, Dean; Loren R. Dunn; greg.christianson (greg.christianson@morganlewis.com); richard.george (richard.george@pgn.com); Karen TRAEGER (karen.traeger@external.total.com); J.W. Ring (JWRing@ringbenderlaw.com); Christine L. Hein (CHein@ringbenderlaw.com)
Subject: RE: Portland Harbor - Pre-RD Investigation and Baseline Sampling - Revised Work Plan

Peter –

I am jumping in here (again) given others' schedules to make sure we are following up on your latest proposal on logistics.

Our team is working through all of the materials. We obviously didn't get ourselves to the point of being ready for an attorneys meeting today as you had suggested, and I am not confident we can be ready later this week. However, we can commit to having an EPA team ready to meet with you on Monday at 1:30.

In preparation for a Monday meeting, our folks will continue to work through the materials and plan to send you everything that we have gotten through on Friday. I anticipate some of what we will provide will be in redline/strike-out format, while other material may be separate comments. In the interest of efficiency, we may want to consider possible parallel meetings on Monday, perhaps in line with your suggestion for a meeting among the attorneys on the SOW and/or AOC.

We will plan to follow up with another message tomorrow after I have received an update from our team.

From: Peter Saba [mailto:psaba@schm.com]

Sent: Tuesday, September 26, 2017 3:25 PM

To: Bilbrey, Sheryl <Bilbrey.Sheryl@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Ebright, Stephanie <EBRIGHT.STEPHANIE@EPA.GOV>; Zhen, Davis <Zhen.Davis@epa.gov>; Ingemansen, Dean <Ingemansen.Dean@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Loren R. Dunn (LDunn@bdlaw.com) <LDunn@bdlaw.com>; greg.christianson (greg.christianson@morganlewis.com) <greg.christianson@morganlewis.com>; richard.george (richard.george@pgn.com) <richard.george@pgn.com>; Karen TRAEGER (karen.traeger@external.total.com) <karen.traeger@external.total.com>; J.W. Ring (JWRing@ringbenderlaw.com) <JWRing@ringbenderlaw.com>; Christine L. Hein (CHein@ringbenderlaw.com) <CHein@ringbenderlaw.com>

Subject: RE: Portland Harbor - Pre-RD Investigation and Baseline Sampling - Revised Work Plan

Sheryl,

Thank you for the follow up. A couple of thoughts:

- AOC/SOW - Since the AOC and SOW have been through a couple of turns previously and that the issues have been narrowed, we believe that it would be useful to have a call among the lawyers on those documents in advance of the larger discussion and would hope that this could be scheduled for this week. Our preference would be to do this Wednesday as there is a PCI Group call on Thursday morning, and it would be good to include this in our report on progress to the PCI Group. Alternatively, we would be available on Thursday afternoon or Friday for a call on the AOC/SOW.
- Work Plan – It would be useful to receive a mark-up or an outline or summary of comments/issues in advance of the Monday call so that the group could discuss those and be in a position to make the Monday call as productive as possible. Receipt of comments by the end of this week would be helpful.
- Monday Call – If possible a call on Monday afternoon, starting at 1 PM or 1:30 PM would be preferable. Among other things, it would permit the Pre-RD Group to have an internal discussion on Monday morning on any comments/issues received so that we could be in a position to respond on a call Monday afternoon.

Thank you in advance for your consideration of these requests.

Peter

From: Bilbrey, Sheryl [mailto:Bilbrey.Sheryl@epa.gov]

Sent: Monday, September 25, 2017 3:13 PM

To: Peter Saba <psaba@sch.n.com>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Ebright, Stephanie <EBRIGHT.STEPHANIE@EPA.GOV>; Zhen, Davis <Zhen.Davis@epa.gov>; Ingemansen, Dean <Ingemansen.Dean@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Loren R. Dunn (LDunn@bdlaw.com) <LDunn@bdlaw.com>; greg.christianson (greg.christianson@morganlewis.com) <greg.christianson@morganlewis.com>; richard.george (richard.george@pgn.com) <richard.george@pgn.com>; Karen TRAEGER (karen.traeger@external.total.com) <karen.traeger@external.total.com>; J.W. Ring (JWRing@ringbenderlaw.com) <JWRing@ringbenderlaw.com>; Christine L. Hein (CHein@ringbenderlaw.com) <CHein@ringbenderlaw.com>

Subject: RE: Portland Harbor - Pre-RD Investigation and Baseline Sampling - Revised Work Plan

Peter

On behalf of EPA, we greatly appreciate you sending the AOC, SOW and Work Plan last Friday. We realize that the quick turn-around of these documents took significant effort by the Pre-RD team. We are equally dedicated to expeditiously reviewing and turning around the documents back to the Pre-RD group. We will need this week to review the deliverables and are available to meet next week to discuss. How does Monday October 2nd at 11 am work for an initial call?

From: Peter Saba [mailto:psaba@sch.n.com]

Sent: Friday, September 22, 2017 6:07 PM

To: Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Woolford, James <Woolford.James@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Ebright, Stephanie <EBRIGHT.STEPHANIE@EPA.GOV>; Bilbrey, Sheryl <Bilbrey.Sheryl@epa.gov>; Zhen, Davis <Zhen.Davis@epa.gov>; Ingemansen, Dean <Ingemansen.Dean@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Loren R. Dunn (LDunn@bdlaw.com) <LDunn@bdlaw.com>; greg.christianson (greg.christianson@morganlewis.com) <greg.christianson@morganlewis.com>; richard.george (richard.george@pgn.com) <richard.george@pgn.com>; Karen TRAEGER (karen.traeger@external.total.com) <karen.traeger@external.total.com>; J.W. Ring (JWRing@ringbenderlaw.com) <JWRing@ringbenderlaw.com>; Christine L. Hein (CHein@ringbenderlaw.com) <CHein@ringbenderlaw.com>

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FOR SETTLEMENT PURPOSES ONLY – SUBJECT TO Rule 408, FRE

Michelle,

Following up on our meeting earlier this week, on behalf of the Pre-RD Group, please find attached the revised Work Plan updated to reflect the agreement in principle, with the accompanying Tables, Figures and Appendices.

Once you have had an opportunity to take an initial look at these documents, we look forward to establishing a schedule for review and finalization of the Work Plan consistent with the target dates we have set.

Best regards,
Peter

Peter B. Saba

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