Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/2/2020 4:56:34 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)
Attachments: RE: Sluder Routing; Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-2-20).pdf

Looping in Mita.

Dan – Great memory. I found the email where I confirmed to you that she would let the PN pass when you asked me about it (see attached). I've updated my draft response below (in red) to reflect this. Also, attached is the PDF version of the updated CAFO. What do you guys think?

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature

pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Wednesday, September 2, 2020 12:04 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)

Stephen, I think your language is good, but really do not want to ask her if we have to re-PN.
I think one of your previous emails indicated you discussed this issue with her previously and she agreed to let this go through.

Do you need me to look for that email or is that what you recall as well?

I've cc'd MJ because I need her to be aware of the challenges we're having.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, September 2, 2020 10:43 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

I don't think your response is bad, but you were much more diplomatic than I would have been. If she says we have to PN it again....

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 10:35 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Below is my draft response to Tanya's latest email (in red). Let me know what you think. I've also attached my response to her original June 30th email for additional context on what we had previously discussed.

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete

screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. Regarding the PN, it was published back in October 2019 and is only getting to you now because of the response to comments that occurred and your June 30th email about the package requesting changes and us getting the Respondent's approval for the changes. To my understanding, the screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Based on the responses above in red, two more important questions:

1. Do we need everyone to re-sign the updated CAFO if we already have the completed signature page for the prior CAFO and got approval from the Respondent of the changes made to the CAFO?
2. Given that the CAFO was public noticed back in October and has since had comments and responses, do we now need to re-public notice the CAFO due to the issues raised? We've obviously since updated the PN model and process

to address your concerns for all future CAFOs, but we did not confirm whether this PN needed to be re-published as well – the focus and discussion was admittedly more so correcting the model for future CAFOs.

Let us know what you think and thanks always for your help!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

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routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
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If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/5/2020 1:48:47 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder Routing

That's what she told me… I can ask though?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Wednesday, August 5, 2020 9:40 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder Routing

Ok, I'll send these to MJ.

Stephen, are we sure Tanya will remember that she gave us a pass on the documentation of the PN for this one because based on yesterday's call with her the 2 pics here would not suffice – just want to be sure before I send it to MJ.
Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303

Message

From: Guzman, Humberto [Guzman.Humberto@epa.gov]
Sent: 12/12/2019 3:29:56 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]; Dromgoole, Ahmad [Dromgoole.Ahmad@epa.gov]
Subject: FW: (RESPONSE))Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island,
Attachments: Complainants v MortgageOfAmerica_GA.pdf; Attachment D.pdf; Complainants v MortgageOfAmerica_GA(RECMD).pdf; Complainants v MortgageOfAmerica_GA(RESPONSE)..pdf

This one was signed by Scott on 10/23/19. See the 3rd attachment. I placed the signed document on the T: drive.

H

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Wednesday, December 11, 2019 5:27 PM
To: Guzman, Humberto <Guzman.Humberto@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Dromgoole, Ahmad <Dromgoole.Ahmad@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: FW: (RESPONSE))Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island,

Did we ever respond to this complaint?

From: Bullock, Patricia <Bullock.Patricia@epa.gov>
Sent: Wednesday, December 4, 2019 8:01 AM
To: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; R4ORC.SPECIALASSISTANT <R4ORC.SPECIALASSISTANT@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Bush, William <Bush.William@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Hedden, Robin <Hedden.Robin@epa.gov>; Carfagno, Chuck <Carfagno.Charles@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Guzman, Humberto <Guzman.Humberto@epa.gov>
Subject: (RESPONSE))Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.

Good Morning All,

Attached is a "response" regarding the above NOI. Recommendation from program is also attached.

Thank you,

Pat

From: Bullock, Patricia <Bullock.Patricia@epa.gov>
Sent: Friday, October 25, 2019 6:43 AM
To: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; R4ORC.SPECIALASSISTANT <R4ORC.SPECIALASSISTANT@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Bush, William

<Bush.William@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Hedden, Robin <Hedden.Robin@epa.gov>; Carfagno, Chuck <Carfagno.Charles@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: (RECMD)Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.

Program Response/Recommendation

From: Bullock, Patricia <Bullock.Patricia@epa.gov>
Sent: Friday, September 27, 2019 3:36 PM
To: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; R4ORC.SPECIALASSISTANT <R4ORC.SPECIALASSISTANT@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Bush, William <Bush.William@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Hedden, Robin <Hedden.Robin@epa.gov>; Carfagno, Chuck <Carfagno.Charles@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.

CWA NOI – Program due date November 12, 2019

Message

From: Bullock, Patricia [Bullock.Patricia@epa.gov]
Sent: 12/4/2019 1:00:44 PM
To: Nagrani, Kavita [Nagrani.Kavita@epa.gov]; R4ORC.SPECIALASSISTANT [R4ORC.SPECIALASSISTANT@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Hansen, Susan [Hansen.Susan@epa.gov]; Bush, William [Bush.William@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Gordon, Scott [Gordon.Scott@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]
CC: Bullock, Patricia [Bullock.Patricia@epa.gov]; Lewis, Jennifer [Lewis.Jennifer@epa.gov]; Hedden, Robin [Hedden.Robin@epa.gov]; Carfagno, Chuck [Carfagno.Charles@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Guzman, Humberto [Guzman.Humberto@epa.gov]
Subject: (RESPONSE))Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.
Attachments: Complainants v MortgageOfAmerica_GA.pdf; Attachment D.pdf; Complainants v MortgageOfAmerica_GA(RECMD).pdf; Complainants v MortgageOfAmerica_GA(RESPONSE)..pdf

Good Morning All,

Attached is a "response" regarding the above NOI. Recommendation from program is also attached.

Thank you,

Pat

From: Bullock, Patricia <Bullock.Patricia@epa.gov>
Sent: Friday, October 25, 2019 6:43 AM
To: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; R4ORC.SPECIALASSISTANT <R4ORC.SPECIALASSISTANT@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Bush, William <Bush.William@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Hedden, Robin <Hedden.Robin@epa.gov>; Carfagno, Chuck <Carfagno.Charles@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: (RECMD)Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.

Program Response/Recommendation

From: Bullock, Patricia <Bullock.Patricia@epa.gov>
Sent: Friday, September 27, 2019 3:36 PM
To: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; R4ORC.SPECIALASSISTANT <R4ORC.SPECIALASSISTANT@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>; Bush, William <Bush.William@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Hedden, Robin <Hedden.Robin@epa.gov>; Carfagno, Chuck <Carfagno.Charles@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: Citizen Suit Notice (CWA) - Gayle Baker, Donald J. Brunelle, Judith A. Brunelle (Complainants") v Mortgage of America Lenders, LLC's ("Mortgage of America") Regarding NPDES Permit GAR1000002 and No. GAR 1000003 located in St. Simons Island, GA.

CWA NOI – Program due date November 12, 2019

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/16/2020 2:13:29 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]
CC: Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]
Subject: Mortgage Lenders of America, LLC (Sluder) CAFO Package
Attachments: Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf; Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America-Routing Slip.pdf

Tanya/Pat-

Attached are the ESA documents for Mortgage Lenders of America, LLC (aka Sluder). This particular case went on Public Notice in October 2019 and received a comment. The comment and the EPA's response are attached. It is my understanding that Stephen Smith and you (Tanya) had a conversation about the public notice screen shots and that it was agreed that the current screen shots would be accepted. Please let me know if you need any additional information.

Sincerely-
Mary Jo

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 8/12/2020 2:01:30 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20) mjb.pdf

Attached is the signed cover letter.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 12:09 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Sluder Routing

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Class 1 CAFO Final Routing

[SEQ CHAPTER \h \r 1]
ROUTING AND TRANSMITTAL SLIP

Date: (5/20/2020)

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
Enforcement Officer, Strange Joel	JS	5/21/2020, 8/7/20
OWLS, Smith, Stephen	SS by DJO	Most recent 8/10/20
Section Chief, O'Lone	DJO	6/5/20, 8/11/20
Young, Angela, WEB Admin	AY	5/21/2020
Mary Jo Bragan, WEB BC	MB by djo	6/16/20
Wendy Bias, ECAD Admin	LL by djo	6/24/20
Tanya Floyd RJO		
Enforcement Officer (Strange, Joel)		

	Action		File		Note and Return
X	Approval		For Clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate		For Your Information		See Me
	Comment		Investigate	X	Signature
	Coordination		Justify		

From: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
Joel Strange, SWGS	15th floor
	Phone No. 29455

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

REMARKS: Final Routing for Mortgage Lenders of America, LLC CAFO, CWA-2019-9970(b).

Public comments received Y/N: Yes
If yes, comments have been resolved Y/N: Yes

Electronic Version Saved on: \\D0404JR4EC014\Water-Share\Wetlands Enforcement\Enf Orders\GA\Sluder\CAFO\Routing\Final Routing

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/27/2020 7:27:05 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder Routing slip in pdf format
Attachments: Sluder CAFO Routing slip 8 27 20.pdf

Mary Jo, I converted the Word document and everyone signed off.
I'm attaching it here for you to include as part of the Sluder package to the RJO & RHC.

Let me know if I can help.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/1/2020 11:54:05 PM
To: Bullock, Patricia [Bullock.Patricia@epa.gov]; Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

[SEQ CHAPTER \h \r 1]**PUBLIC NOTICE**
U. S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4
WATER PROTECTION DIVISION
OCEAN, WETLANDS and STREAMS POTECTION BRANCH
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, S.W.
ATLANTA, GEORGIA 30303

DATE: [Insert] **PUBLIC NOTICE No**

Notice of Proposed Issuance of
Consent Agreement and Final Order

The U.S. Environmental Protection Agency (EPA), Region 4, proposes to issue a Consent Agreement and Final Order (CAFO), Docket No. CWA-04-2019-9970(b), that assesses an administrative penalty of $20,000 to Mortgage Lenders of America, LLC (Respondent), under the authority of Section 309(g)(2)(A) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g)(2)(A).

EPA alleges the Respondent has made unauthorized discharges of dredged and/or fill material into waters of the United States in violation of Section 301 of the Clean Water Act, 33 U.S.C. Section 1311. The Respondent's unauthorized activity impacted approximately 0.25 acres of wetlands adjacent (as defined at 33 CFR 328.3(c) and 33 CFR 328.3(a)(7)) to the Frederica River and Village Creek both TNWs since they are subject to the ebb and flow of the tide. The unauthorized activity is located on St. Simons Island, Glynn County, Georgia, at latitude 31.214984° N and longitude -81.372104° W

Any person wishing to comment on any aspect of the proposed CAFO Docket No. CWA-04-2019-9970(b) must submit such comments in writing to the Regional Hearing Clerk at U.S. EPA, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia, 30303. Comments must be submitted within 30 days of the date of this notice. Please include the Public Notice Number and the Docket Number with any submitted comments.

More information about this enforcement action can be found on the EPA Region 4 Website at: [HYPERLINK "http://www.epa.gov/region4/water/wpeb/npdes_states.html"].

Because this matters involves a CWA Section 309(g) proceeding that is proposed to be simultaneously commenced and settled under 40 C.F.R. § 22.13(b), this matter will not be resolved or settled until ten days after the close of the public comment period in accordance with 40 C.F.R. § 22.45 (b) and (c).

FOR FURTHER INFORMATION: Persons wishing to receive a copy of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22, which apply to this matter, or comment upon the proposed penalty assessment, should contact the Regional Hearing Clerk identified above. Unless otherwise noted, the public record for this action is located in the EPA Regional Office at 61 Forsyth Street, S.W., Atlanta, Georgia, and the file will be open for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday.

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 8/25/2020 9:02:23 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 11 20 (002) mjb.doc

Dan-

Per the SOP, it says that the routing slip signatures needed to be done via Adobe, hopefully that won't count against us. Also, how did we or did we respond to the comment received? We need to include that in the email message to Pat and Tanya.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, August 21, 2020 1:39 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)

Mary Jo, sending you this so you can see my conversation with Stephen about what is needed to keep Sluder moving.

This thread also includes communication from Tanya about what is needed.

You may recall that Tanya's rejection of the Sluder package earlier is what set off the whole PN fiasco.

I've highlighted a couple of key areas.

I'm attaching all the documents that constitute "the package".

You need only sign the cover letter.
It shows a date of 8-21-20 b/c I just inserted Joel's email address as a means of contact.

You can indicate on the Word routing slip that you sent it to both Tanya and Pat Bullock as outlined in Suzanne Armor's email to us yesterday.

Thanks and let me know if you have any questions.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section

WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, August 10, 2020 8:59 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

That is correct!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Monday, August 10, 2020 8:50 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen, thanks for checking on this.

So it looks like MJ does not have to sign the CA/FO, just the cover letter that Pat will date and send out at the appropriate time.

Let me know if I got that correct and I'll communicate w/ MJ.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Friday, August 7, 2020 2:45 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Bullock, Patricia

<Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Hi,

The cover letters are always signed by ECAD, but are not to be dated. Pat only transmits the letters with the filed CAFOs and adds the date (of filing) to the cover letter. The x signature on the cover letter was not a valid electronic signature. Adobe Reader or Pro must be used to sign the document on a government computer with insertion of a Smartcard. Please see the Part 22 SOP during unscheduled telework (I will forward the email sent by Leif).

Since ECAD did not electronically sign the CAFO, it does not need to be resigned. Correspondence with the Respondent approving service via email needs to be included in the revised CAFO routing package.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, August 7, 2020 2:10 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya – Does Mary Jo need to re-sign the updated CAFO or can we rely upon the prior EPA signature of the CAFO (Larry Lamberth previously signed for Mary Jo after receiving the Respondent's signature page)?

Also, forgive my ignorance, but is it common practice or preferred for the post execution cover letter (which we've updated to reflect electronic delivery) to be signed by ECAD or the RHC? It was previously signed by Mary Jo (with an X which we know is an issue), but I wasn't sure if it was preferred that Pat sign it instead.

Thanks so much!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>

Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Floyd, Tanya [Floyd.Tanya@epa.gov]
Sent: 9/2/2020 3:01:35 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
CC: Bullock, Patricia [Bullock.Patricia@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent

Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/3/2020 2:33:13 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

Dan/Joel – Please use the attached PDF of the CAFO for getting Sluder's signature. I've updated it with page numbers 9 and 10 per Tanya's email. Will be so happy when this damn case is final…ha.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, September 3, 2020 9:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

The parties, both the Respondent and ECAD,
will need to resign the revised Consent Agreement. The initial CA signature page does not match/look exactly like the revised CA signature page (please see how the signature page on the prior document does not match/look exactly like the signature page on the new document).

I was unaware that was the situation when you asked if the Respondent would need to resign. Most of the programs in ECAD have separate signature pages for each party which are separate from the body of the CA. You did not mention that the prior CA signature page differed from the revised CA signature page when asking the question if the parties needed to resign the CA.

Whenever the original signature page signed by a Respondent changes due to different page numbering, different paragraph numbering within the body of the CA, etc., and the prior CA signature page does not exactly match the signature page in the revised CA (or ESA), the Respondent will need to resign if the Respondent had signed in wet ink and submitted a pdf signature page. The signature page on the prior CA must match exactly to the signature page on the revised CA, including the page numbers, for a Respondent not to have to resign (if the Respondent signed in wet ink and submitted a pdf signature and approved the changes after signature in writing).

Any changes to the CA after a Respondent signed electronically will require the Respondent (and EPA, if it also had electronically signed a prior version) to resign the revised CA since the electronic document will no longer be the "original" document.

What many programs did in ECAD was change CAFO models to have separate signature pages for each party (one signature page for Respondent, one signature page for EPA) on separate pages from the body of CA thereby reducing when a Respondent would need to resign if changes are needed to the document after signing (in wet ink).

Page numbering also needs to be included on the Final Order and the Certificate of Service in the revised CAFO (ex. the Final Order would be number p. 9 and the Certificate of Service would be p. 10).

I previously asked if a PN attachment, such as that included in the 2nd routing, was placed as an attachment to the public notice on EPA's website for the matter and you informed me it was not. Therefore, the Word PN included in the 2nd routing package did create significant confusion. Only the true and accurate documents attached to the PN should be included in the routing package.

Any future CWA CAFO or ESA routing packages MUST include a complete screenshot(s) of the entirety of the public notice (from the top of the page with the date to the bottom of the page, no partial PN screenshot) and true and accurate copies of all attachments to the PN (such as a copy of the proposed CAFO, any exhibits, Violations Forms, etc.). Please see both the RJO Checklist and the SOP during unscheduled telework discussing this requirement.

The screenshots provided in this matter are not the entirety of the public notice. I will not accept any similar screenshots for future matters – **any future CWA CAFOs or ESAs routed to me MUST contain screenshots showing the entirety of the public notice on EPA's website and also true and accurate copies of all attachments thereto, such as the proposed CAFO or ESA, exhibits, Violations Forms, etc.** I need to see the entirety of what is placed on EPA's website regarding the public notice to determine compliance with 40 C.F.R. § 22.45. This is not a new requirement so screenshots of the entirety of the PN should have been captured for this matter and attachments thereto included in the initial routing package. Since a comment was received on the proposed CAFO, I am certain a public notice was provided in this matter.

To provide clarity on dating of the cover letter transmitting a ratified CAFO or ESA – it is the top of the page under the EPA address that is not to be dated by ECAD because the RHC will include the date of filing on the cover letter at the top of the letter. Electronic signatures by EPA officials should show the date and time of signature– see the Adobe electronic signing instructions included in Leif's email dated June 29, 2020.

Please contact Pat with any questions or to see copies of cover letters submitted by other ECAD programs leaving the date off the top of the letter and the electronic signature including the time and date of the ECAD signatory.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 2:33 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Thank, Tanya. Below are my responses to your comments (in red) based on my communication with ECAD. Let me know if you have any questions and whether we need to schedule a call. I've also attached a PDF version of the updated CAFO.

...

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the

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requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed

– essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, ECAD's understanding per the SOP was that the cover letter was to be undated so the date can be added by the RHC. The signature was undated so, that once it was finalized, there would not be a conflict between the date on the letter and the date in the signature. Let us know if that is not correct and Mary Jo can re-sign.

Thanks for your help as always!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO,

exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/5/2020 2:11:26 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20).docx; Sluder public notice.docx

Mary Jo, this is the case that was PN'd in 2019, Tanya initially rejected the PN, but Stephen talked to her and she agreed to move forward on this one provided we make corrections to our PNs in the future.
This was the impetus for all the PN emails and conversations culminating yesterday in further changes that I will attempt to "update" our current PNs with to ensure compliance with Part 22.

Additionally, we needed the respondent to agree to electronic notification (cert of service) so the CA/FO was tweaked.

You need to sign the cover letter and resign the CA/FO and this will be sent out and COMPLETED!

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/21/2020 5:38:57 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20).pdf

Mary Jo, sending you this so you can see my conversation with Stephen about what is needed to keep Sluder moving.

This thread also includes communication from Tanya about what is needed.

You may recall that Tanya's rejection of the Sluder package earlier is what set off the whole PN fiasco.

I've highlighted a couple of key areas.

I'm attaching all the documents that constitute "the package".

You need only sign the cover letter.
It shows a date of 8-21-20 b/c I just inserted Joel's email address as a means of contact.

You can indicate on the Word routing slip that you sent it to both Tanya and Pat Bullock as outlined in Suzanne Armor's email to us yesterday.

Thanks and let me know if you have any questions.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, August 10, 2020 8:59 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

That is correct!

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Monday, August 10, 2020 8:50 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen, thanks for checking on this.

So it looks like MJ does not have to sign the CA/FO, just the cover letter that Pat will date and send out at the appropriate time.

Let me know if I got that correct and I'll communicate w/ MJ.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Friday, August 7, 2020 2:45 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Hi,

The cover letters are always signed by ECAD, but are not to be dated. Pat only transmits the letters with the filed CAFOs and adds the date (of filing) to the cover letter. The x signature on the cover letter was not a valid electronic signature. Adobe Reader or Pro must be used to sign the document on a government computer with insertion of a Smartcard. Please see the Part 22 SOP during unscheduled telework (I will forward the email sent by Leif).

Since ECAD did not electronically sign the CAFO, it does not need to be resigned. Correspondence with the Respondent approving service via email needs to be included in the revised CAFO routing package.

Thank you,
Tanya

Tanya Floyd

Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, August 7, 2020 2:10 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya – Does Mary Jo need to re-sign the updated CAFO or can we rely upon the prior EPA signature of the CAFO (Larry Lamberth previously signed for Mary Jo after receiving the Respondent's signature page)?

Also, forgive my ignorance, but is it common practice or preferred for the post execution cover letter (which we've updated to reflect electronic delivery) to be signed by ECAD or the RHC? It was previously signed by Mary Jo (with an X which we know is an issue), but I wasn't sure if it was preferred that Pat sign it instead.

Thanks so much!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in

22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).

This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/15/2020 9:50:35 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Public notice screenshot.PNG; Public notice screenshot2.PNG; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Sluder public notice.docx; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Hey, Tanya! Sorry for the delay. I've been able to speak with the Program and hopefully address most of your questions below (responses in red). I'll give you a call tomorrow if you don't mind to discuss further.

…

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

See attached for two screenshots of the website PN, as well as a PDF copy of the proposed CAFO which was attached with the PN. Also, attached is the PN Word document provided to Sherry Maddox for publishing the PN on 10/11/19. As a reminder, this PN occurred in October which may possibly be the cause of some of these concerns/issues.

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

After reviewing, the PN itself does not provide the address of the Respondent, but does provide the location of where the violations occurred and a description of the violation. If the required information needs to be in the body of the PN, rather than the proposed CAFO itself, I'm happy to work with the Program make the needed updates to the PN model and provide to you for review. FYI, after talking with Dan and Joel, it does seem that this PN followed the same model and PN process that other CWA 402 and 404 settlements have followed in the past according to them, so does that mean that the other settlements, in the recent past, have had the same issues? Let's discuss because no doubt the goal is to make sure it's right, especially as the end of the fiscal year comes up.

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

See response above and the attached.

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

See response above. We can definitely work on this. Let's discuss.

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

See attached for a copy of the comment received, our response to the comment on 3/24/20, and an email from counsel for the commenters stating that they no longer plan to contest the CAFO. We will make sure to include these in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

We will update the CAFO and related documents to be up-to-date for the new electronic requirements. We will also contact the Respondent and have them agree to the updates (and include their response in the revised routing package).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Sounds great.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

Joel/Dan – Can you guys address/answer this?

Thanks, Tanya!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

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I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/1/2020 11:54:05 PM
To: Bullock, Patricia [Bullock.Patricia@epa.gov]; Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Mary Jo Bragan (Bragan.Maryjo@epa.gov) [Bragan.Maryjo@epa.gov]; Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

NPDES Site Inspection Report

General Information			
Project Name	CAPTAIN'S Cove		
Client Name	MORTGAGE OF AMERICA		
Project No.	25548	Work Order No.	
Date of Inspection	6/1/18	Report No.	
Inspector's Name(s)	S. STAN		

Type of Inspection
☑ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event

Weather Information

Has it rained since the last inspection?
☑ Yes ☐ No

If yes, provide:
Storm Start Date: 5/30/18
Approximate Rainfall (in): 1/2" ACCUMULATED SINCE LAST INSPECTION

Weather at time of this inspection?

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐ Yes ☑ No	☐ Yes ☑ No		
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐ Yes ☑ No	☐ Yes ☐ No		
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☑ Yes ☐ No	☐ Yes ☑ No	REPAIRS needed	
4	Are storm drain inlets properly protected?	☑ Yes ☐ No	☑ Yes ☐ No		
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☑ No	☐ Yes ☐ No		

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☑Yes ☐No	☑Yes ☐No		

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: STEPHEN STAN Cert. #: 00011237

Signature: [signature]

Date: 6/1/16

The Following was noted:

1) AREA WEST OF CO on NORTH MARRINGTON needs TO be STABILIZED

Signed: _____

NPDES Site Inspection Report

General Information

Project Name: CAPTAINS COVE
Client Name: MORTGAGE OF AMERICA
Project No.: 25548
Work Order No.:
Date of Inspection: 6/8/18
Report No.:
Inspector (s Name(s): S. STAA

Type of Inspection
☒ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event

Weather Information

Has it rained since the last inspection?
☐ Yes ☒ No

If yes, provide:
Storm Start Date: Approximate Rainfall (in):

Weather at time of this inspection?
CLEAR

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐ Yes ☒ No	☐ Yes ☐ No	STABILIZATION NEEDED IN NO WORKED AREAS NE OF ENTRANCE	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No	☒ Yes ☐ No		
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☒ Yes ☐ No	☒ Yes ☐ No		
4	Are storm drain inlets properly protected?	☒ Yes ☐ No	☒ Yes ☐ No		
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☒ No	☐ Yes ☐ No		

	BMP activity	Implemented?	Maintained?	Corrective action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, storage, and maintenance areas free of spills, leaks or any other deleterious material?	☐ Yes ☐ No	☐ Yes ☐ No		

Certification statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name STEPHEN STAV Cert # 0001123

Signature [signature]

Date 6/8/18

The Following was noted:

Signed:

NPDES SITE INSPECTION REPORT

ECS FLORIDA, LLC

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	25548	Work Order No.	
Date of Inspection	06/15/2018	Report No.	
Inspector's Name(s)	Steve Stan		

Type of Inspection

☒ Weekly ☐ Daily ☐ During storm event ☒ Post-storm event

Weather Information

Has rained since the last inspection? ☒ Yes ☐ No

If yes, provide:

Storm Start Date: 06/12/2018 Approximate Rainfall(in): 2" accumulated since last inspection

Weather at time of this inspection?

	BMP/Activity	Implemented?	Maintenence Required?	Corrective Action Needed and Notes
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐ Yes ☒ No	☒ Yes ☐ No	Stabilization of non worked areas needed.
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No	☐ Yes ☒ No	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☒ Yes ☐ No	☐ Yes ☒ No	
4	Are storm drain inlets properly protected?	☒ Yes ☐ No	☐ Yes ☒ No	
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☒ No	☐ Yes ☐ No	

Clear Form

ECS FLORIDA, LLC

NPDES SITE INSPECTION REPORT

	BMP/Activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☒ Yes ☐ No	☐ Yes ☒ No	

CERTIFICATION STATEMENT

" I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print Name: Stephen Stan Cert. #: 00011237

Signature: Stephen Stan Date: 06/15/2018

The following was noted:

Clear Form

NPDES SITE INSPECTION REPORT

ECS FLORIDA, LLC

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	25586	Work Order No.	54740
Date of Inspection	10/26/2018	Report No.	
Inspector's Name(s)	David Bray		

Type of Inspection

☒ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event

Weather Information	
Has rained since the last inspection?	(Yes) No
If yes, provide: Storm Start Date: 10/25/2018	Approximate Rainfall(in): .25
Weather at time of this inspection? O/C	

	BMP/Activity	Implemented?	Maintenence Required?	Corrective Action Needed and Notes
1	Are all disturbed areas not actively being worked properly stabilized or protected?	Yes (No)	(Yes) No	all areas being worked
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	Yes No	Yes (No)	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	Yes (No)	(Yes) No	silt fence needs repaired
4	Are storm drain inlets properly protected?	(Yes) No	Yes (No)	
5	Is there evidence of sediment being tracked into the street?	Yes (No)	Yes No	paved

ECS FLORIDA, LLC

NPDES SITE INSPECTION REPORT

	BMP/Activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	(Yes) No	Yes (No)	

CERTIFICATION STATEMENT

" I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print Name: David Bray Cert. #: 0000014447

Signature: David Bray Date: 10/26/2018

The following was noted:

NPDES Site Inspection Report

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	25548	**Work Order No.**	55476
Date of Inspection	11/09/2018	**Report No.**	
Inspector's Name(s)	David Bray		

Type of Inspection
☑ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event

Weather Information

Has it rained since the last inspection?
☑ Yes ☐ No

If yes, provide:
Storm Start Date: 11/08/2018 **Approximate Rainfall (in):** .50

Weather at time of this inspection? clear

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☑ Yes ☐ No	☐ Yes ☑ No	seed is needed in bare areas	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐ Yes ☑ No	☐ Yes ☐ No	trees need protection	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☑ Yes ☐ No	☐ Yes ☑ No	minor repair to silt fence is needed	
4	Are storm drain inlets properly protected?	☑ Yes ☐ No	☑ Yes ☐ No		
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☐ No	☐ Yes ☐ No	paved	

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☑Yes ☐No	☑Yes ☐No		

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: David Bray Cert. #: 0000014447

Signature: David Bray

Date: 11/09/2018

The following was noted:

NPDES Site Inspection Report

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	25548	**Work Order No.**	55953
Date of Inspection	11/16/2018	**Report No.**	
Inspector's Name(s)	David Bray		
Type of Inspection ☑ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event			
Weather Information			
Has it rained since the last inspection? ☑ Yes ☐ No **If yes, provide:** **Storm Start Date:** 11/16/2018 **Approximate Rainfall (in):** .25			
Weather at time of this inspection? clear			

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐ Yes ☐ No	☐ Yes ☐ No	all areas being worked	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☑ Yes ☐ No	☐ Yes ☑ No	trees need protection	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☑ Yes ☐ No	☐ Yes ☑ No	minor repair to silt fence is needed	
4	Are storm drain inlets properly protected?	☐ Yes ☑ No	☐ Yes ☐ No	inlets in work areas need protection	
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☐ No	☐ Yes ☐ No	paved	

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☑Yes ☐No	☑Yes ☐No		

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: David Bray Cert. #: 0000014447

Signature: David Bray

Date: 11/16/2018

The following was noted:

NPDES Site Inspection Report

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	21171	**Work Order No.**	56263
Date of Inspection	11/21/2018	**Report No.**	
Inspector's Name(s)	David Bray		
Type of Inspection ☐ Weekly ☐ Daily ☐ During storm event ☐ Post-storm event			
Weather Information			
Has it rained since the last inspection? ☐Yes ☑No **If yes, provide:** **Storm Start Date:** **Approximate Rainfall (in):**			
Weather at time of this inspection? clear			

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐Yes ☐No	☐Yes ☐No	all areas being worked	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐Yes ☑No	☐Yes ☐No	trees need protection	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☑Yes ☐No	☐Yes ☑No	minor repair to silt fence is needed	
4	Are storm drain inlets properly protected?	☐Yes ☑No	☐Yes ☐No	inlets need protection in work areas	
5	Is there evidence of sediment being tracked into the street?	☐Yes ☐No	☐Yes ☐No	paved	

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☑Yes ☐No	☑Yes ☐No		

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: David Bray Cert. #: 0000014447

Signature: David Bray

Date: 11/21/2018

The following was noted:

NPDES Site Inspection Report

General Information			
Project Name	Captains Cove		
Client Name	Mortgage of America		
Project No.	25548	**Work Order No.**	56353
Date of Inspection	11/26/2018	**Report No.**	
Inspector's Name(s)	David Bray		

Type of Inspection
☐ Weekly ☐ Daily ☐ During storm event ☑ Post-storm event

Weather Information

Has it rained since the last inspection?
☑ Yes ☐ No

If yes, provide:
Storm Start Date: 11/23,26/2018 **Approximate Rainfall (in):** 4.0

Weather at time of this inspection? clear

Below are some general site issues that should be assessed during inspections. Please customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐ Yes ☐ No	☐ Yes ☐ No	all areas being worked	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐ Yes ☑ No	☐ Yes ☐ No	trees need protection	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☑ Yes ☐ No	☐ Yes ☑ No	minor work to silt fence is needed	
4	Are storm drain inlets properly protected?	☐ Yes ☑ No	☐ Yes ☐ No	inlets need protection	
5	Is there evidence of sediment being tracked into the street?	☐ Yes ☐ No	☐ Yes ☐ No	paved	

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☑Yes ☐No	☑Yes ☐No		

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: David Bray Cert. #: 0000014447

Signature: David Bray

Date: 11/26/2018

The following was noted:

NPDES SITE INSPECTION REPORT

ECS FLORIDA, LLC

General Information			
Project Name	Captains Cove		
Client Name	Mortgage Of America		
Project No.	25548	**Work Order No.**	
Date of Inspection	11/30/2018	**Report No.**	
Inspector's Name(s)	S. Stan		
Type of Inspection ☐Weekly ☐Daily ☐During storm event ☐Post-storm event			
Weather Information			
Has rained since the last inspection? ☐Yes ☒No			
If yes, provide: Storm Start Date: Approximate Rainfall(in):			
Weather at time of this inspection? Clear			

	BMP/Activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all disturbed areas not actively being worked properly stabilized or protected?	☐Yes ☐No	☐Yes ☐No	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐Yes ☒No	☐Yes ☐No	trees need protection
3	Are perimeter controls and sediment barriers adequately installed and maintained?	☒Yes ☐No	☐Yes ☒No	
4	Are storm drain inlets properly protected?	☒Yes ☐No	☐Yes ☒No	
5	Is there evidence of sediment being tracked into the street?	☐Yes ☒No	☐Yes ☐No	

Clear Form

ECS FLORIDA, LLC

NPDES SITE INSPECTION REPORT

	BMP/Activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
6	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☒ Yes ☐ No	☐ Yes ☒ No	

CERTIFICATION STATEMENT

" I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print Name: stephen Stan Cert. #: 00011237

Signature: Stephen Stan Date: 11/30/2018

The following was noted:

Clear Form

COMMUNITY DEVELOPMENT DEPARTMENT
Engineering Services Division
1725 Reynolds Street, Suite 200, Brunswick, GA 31520
Phone: 912-554-7428 /Fax: 1-888-252-3726

A Golden Past.
A Shining Future.

STOP WORK ORDER

March 19, 2018

Mr. Ron Sluder
Mortgage of America
167 West Cherry Street
Jesup, GA 31546

Subject: Violation of Glynn County Erosion and Sediment Control Ordinance
Captain's Cove Subdivision, Frederica Road, St. Simons Island, GA

An inspection of the subject project was conducted Friday, March 16, 2018 by Glynn County staff. The following deficiencies were noted and must be addressed.

1. The BMPs (Silt Fence & Construction Entrance) must be installed as shown on the approved plans and per the detail.

Given the condition of the site at the time of the inspection, this Stop Work Order is being issued per section 2-5-106-B of the Glynn County Code of Ordinances due to lack of BMP installation and eminent threat to the Waters of the State.

That being the case, all BMPs must be installed per the Georgia Erosion and Sediment Control Manuel (Green Book), prior to any further land disturbing activities occurring on the site. The design engineer must certify per checklist item #14 sheet ES1 of the approved plan for the project.

Please contact Benny Crawford at the Glynn County Community Development Department, Engineering Support Division @ 554-7443 if there are any questions and to set up a time for re-inspection of the site.

Sincerely,

R. Paul Andrews P.E., County Engineer
c: Mr. John Huckele, P.E.
Mickey Milton, Code Enforcement Supervisor

Appointment

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/16/2020 4:11:22 AM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]

Subject: Sluder CAFO Package review
Attachments: Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America- Routing Slip.pdf; Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf
Location: Microsoft Teams Meeting

Start: 9/16/2020 1:00:00 PM
End: 9/16/2020 1:30:00 PM
Show Time As: Tentative

Required Attendees: Dan Olone (Olone.Dan@epa.gov); Strange, Joel; Young, Angela; Smith, Stephen

Let's have a quick meeting to go over the CAFO package before it gets sent to Tanya.

Join Microsoft Teams Meeting

+1 202-991-0477 United States, Washington DC (Toll)

Conference ID: 294 719 652#

Local numbers | Reset PIN | Learn more about Teams | Meeting options

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 8/12/2020 2:01:30 PM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
CC: Mary Jo Bragan (Bragan.Maryjo@epa.gov) [Bragan.Maryjo@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20) mjb.pdf

Attached is the signed cover letter.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 12:09 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Sluder Routing

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 8/25/2020 9:02:23 PM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]
CC: Mary Jo Bragan (Bragan.Maryjo@epa.gov) [Bragan.Maryjo@epa.gov]
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 11 20 (002) mjb.doc

Dan-

Per the SOP, it says that the routing slip signatures needed to be done via Adobe, hopefully that won't count against us. Also, how did we or did we respond to the comment received? We need to include that in the email message to Pat and Tanya.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, August 21, 2020 1:39 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)

Mary Jo, sending you this so you can see my conversation with Stephen about what is needed to keep Sluder moving.

This thread also includes communication from Tanya about what is needed.

You may recall that Tanya's rejection of the Sluder package earlier is what set off the whole PN fiasco.

I've highlighted a couple of key areas.

I'm attaching all the documents that constitute "the package".

You need only sign the cover letter.
It shows a date of 8-21-20 b/c I just inserted Joel's email address as a means of contact.

You can indicate on the Word routing slip that you sent it to both Tanya and Pat Bullock as outlined in Suzanne Armor's email to us yesterday.

Thanks and let me know if you have any questions.

Dan
****
Daniel J. O'Lone, Chief

Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, August 10, 2020 8:59 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

That is correct!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Monday, August 10, 2020 8:50 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen, thanks for checking on this.

So it looks like MJ does not have to sign the CA/FO, just the cover letter that Pat will date and send out at the appropriate time.

Let me know if I got that correct and I'll communicate w/ MJ.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Friday, August 7, 2020 2:45 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>

Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Hi,

The cover letters are always signed by ECAD, but are not to be dated. Pat only transmits the letters with the filed CAFOs and adds the date (of filing) to the cover letter. The x signature on the cover letter was not a valid electronic signature. Adobe Reader or Pro must be used to sign the document on a government computer with insertion of a Smartcard. Please see the Part 22 SOP during unscheduled telework (I will forward the email sent by Leif).

Since ECAD did not electronically sign the CAFO, it does not need to be resigned. Correspondence with the Respondent approving service via email needs to be included in the revised CAFO routing package.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, August 7, 2020 2:10 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya – Does Mary Jo need to re-sign the updated CAFO or can we rely upon the prior EPA signature of the CAFO (Larry Lamberth previously signed for Mary Jo after receiving the Respondent's signature page)?

Also, forgive my ignorance, but is it common practice or preferred for the post execution cover letter (which we've updated to reflect electronic delivery) to be signed by ECAD or the RHC? It was previously signed by Mary Jo (with an X which we know is an issue), but I wasn't sure if it was preferred that Pat sign it instead.

Thanks so much!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM

To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: John Brunini [John.Brunini@butlersnow.com]
Sent: 5/8/2020 5:31:18 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for your email, Stephen. All is going as well as can be expected around here. Hopefully for you, too.

I conferred with my client and although we respectfully disagree with the EPA's conclusions in this matter, we decided not to contest the proposed Consent Agreement and Final Order.

On a side note, any idea when you and your colleagues may begin returning to the office? Our firm is initiating a phased return next week, but it will likely be a couple of weeks after that before most people actually return to a daily office "routine."

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, May 8, 2020 11:33 AM
To: John Brunini
Cc: Strange, Joel
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John – Hope you're well. We are currently still out of the office due to Covid and have no access to our mailroom. I wanted to confirm whether you had sent anything by mail regarding this case since your original comment. Please advise and thanks so much.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the sender and deleting this copy and the reply from your system. Thank you for your cooperation.

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the sender and deleting this copy and the reply from your system. Thank you for your cooperation.

From: Strange, Joel
To: Smith, Stephen
Subject: FW: [EXTERNAL] RE: Sluder
Date: Monday, August 3, 2020 5:25:06 PM
Attachments: image001.png
image002.png
image003.png
image004.png

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 5:17 PM
To: Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Subject: Re: [EXTERNAL] RE: Sluder

Yes electronic delivery is good with me. Thks

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Ron Sluder | **Mortgage Loan Originator**
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 5:15:05 PM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Stuart Sligh <s_sligh@slighec.com>
Subject: RE: [EXTERNAL] RE: Sluder

Ron,

I don't need a signature. The copy was just for you to review the changes in the delivery method. Your signature on the previous one is fine. All I need is your concurrence that electronic delivery instead of regular mail is okay.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 4:48 PM
To: Stuart Sligh <s_sligh@slighec.com>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Re: [EXTERNAL] RE: Sluder

I'm good with it will have signed and sent back tomorrow Thks

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Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: Stuart Sligh <s_sligh@slighec.com>
Sent: Monday, August 3, 2020 4:45:54 PM
To: 'Strange, Joel' <Strange.Joel@epa.gov>
Cc: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: Sluder

External email: careful w/ links or attachments

Ron: Can you send email to Joel Strange (Copied on this email) stating you are good with electronic delivery of the EPA CO for Captains Cove.
Thanks,
Stuart

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 4:16 PM
To: Stuart Sligh <s_sligh@slighec.com>
Subject: Sluder

Stuart,

Just checking in. All we need from Sluder is an email saying that he is okay with electronic delivery.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/3/2020 3:13:21 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-2-20).pdf

Can you point out the changes in the attached CAFO?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 12:57 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)

Looping in Mita.

Dan – Great memory. I found the email where I confirmed to you that she would let the PN pass when you asked me about it (see attached). I've updated my draft response below (in red) to reflect this. Also, attached is the PDF version of the updated CAFO. What do you guys think?

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in

the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Wednesday, September 2, 2020 12:04 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)

Stephen, I think your language is good, but really do not want to ask her if we have to re-PN.
I think one of your previous emails indicated you discussed this issue with her previously and she agreed to let this go through.

Do you need me to look for that email or is that what you recall as well?

I've cc'd MJ because I need her to be aware of the challenges we're having.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, September 2, 2020 10:43 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

I don't think your response is bad, but you were much more diplomatic than I would have been. If she says we have to PN it again....

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 10:35 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Below is my draft response to Tanya's latest email (in red). Let me know what you think. I've also attached my response to her original June 30th email for additional context on what we had previously discussed.

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the

attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. Regarding the PN, it was published back in October 2019 and is only getting to you now because of the response to comments that occurred and your June 30th email about the package requesting changes and us getting the Respondent's approval for the changes. To my understanding, the screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing

information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Based on the responses above in red, two more important questions:

1. Do we need everyone to re-sign the updated CAFO if we already have the completed signature page for the prior CAFO and got approval from the Respondent of the changes made to the CAFO?
2. Given that the CAFO was public noticed back in October and has since had comments and responses, do we now need to re-public notice the CAFO due to the issues raised? We've obviously since updated the PN model and process to address your concerns for all future CAFOs, but we did not confirm whether this PN needed to be re-published as well – the focus and discussion was admittedly more so correcting the model for future CAFOs.

Let us know what you think and thanks always for your help!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to

determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 8/18/2020 5:08:13 PM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]
CC: Mary Jo Bragan (Bragan.Maryjo@epa.gov) [Bragan.Maryjo@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20) mjb.pdf

Here is Sluder. I did not forward to the RJO. I assumed that it would go from the ECAD IO to Tonya based upon the routing slip. That was probably a bad assumption. Should I send it to Tonya?

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Wednesday, August 12, 2020 10:02 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: FW: Sluder Routing

Attached is the signed cover letter.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 12:09 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Sluder Routing

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/2/2020 3:21:54 PM
To: Lamberth, Larry [Lamberth.Larry@epa.gov]
CC: Mary Jo Bragan (Bragan.Maryjo@epa.gov) [Bragan.Maryjo@epa.gov]; Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Putting you in the loop on this. ORC is having trouble getting the water CAFOs and the public notices approved by Tanya. I know Steven has had multiple conversations with her prior to us submitting the Sluder/Mortgage Lenders package and we thought everything was in line with her requirements. She just got the Sluder package yesterday and came back with a long email of comments. Some do not appear to be requirements under Part 22 but just her preference. Steven is following up with Tanya but this seems to be a growing problem.

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

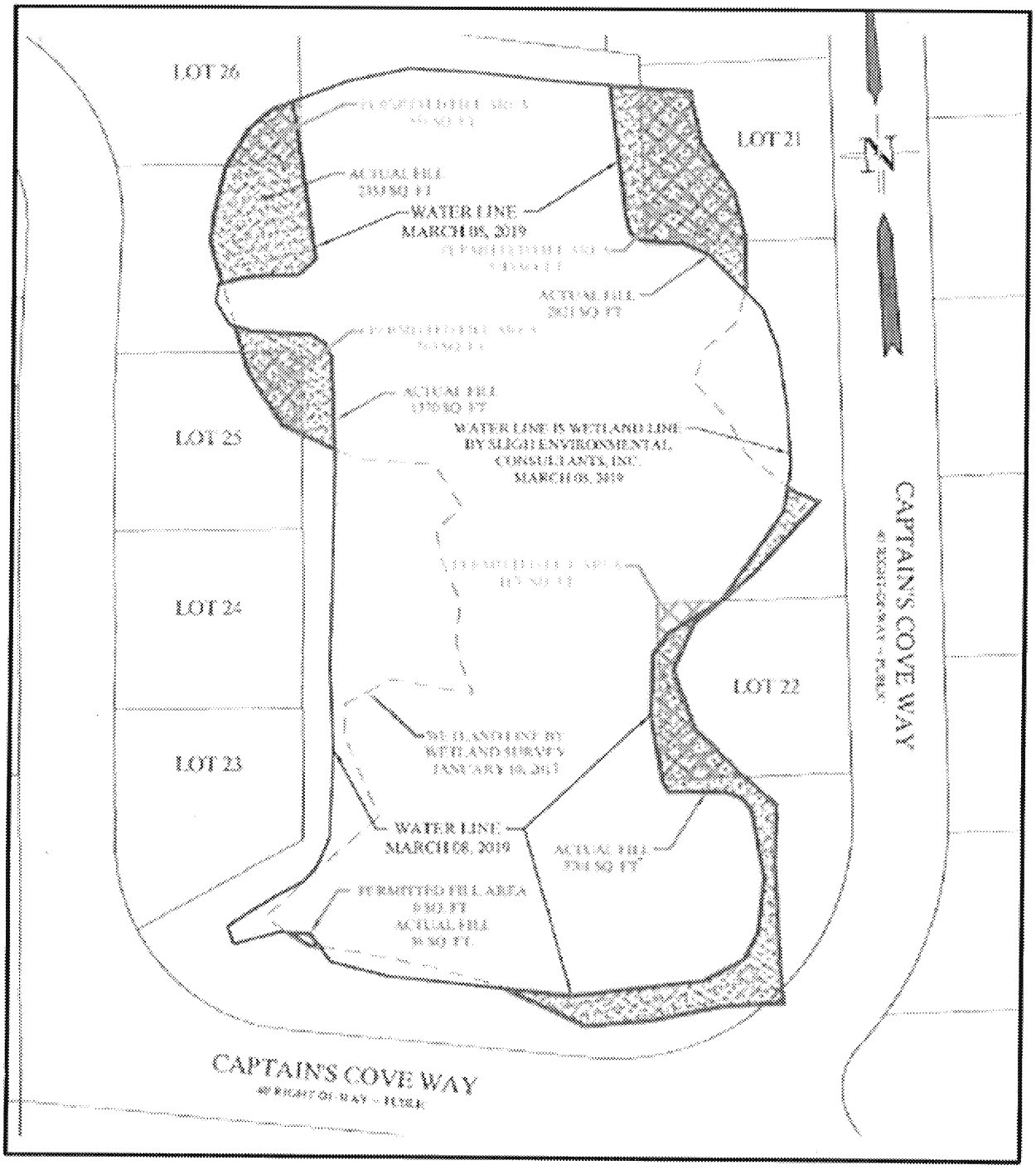
Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO

ENCLOSURE 2
(Diagram)



Class 1 CAFO Final Routing

[SEQ CHAPTER \h \r 1]
ROUTING AND TRANSMITTAL SLIP

Date: (5/20/2020)

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
Enforcement Officer, Strange Joel	JS	5/21/2020
Section Chief, O'Lone	DJO	6/5/2020
Young, Angela, WEB Admin	AY	5/21/2020
Mary Jo Bragan, WEB BC		
Wendy Bias, ECAD Admin		
Enforcement Officer, Strange, Joel		
Enforcement Officer (add name)		

	Action		File		Note and Return
X	Approval		For Clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate		For Your Information		See Me
	Comment		Investigate	X	Signature
	Coordination		Justify		

From: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
Joel Strange, SWGS	15th floor
	Phone No. 29455

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

REMARKS: Final Routing for Mortgage Lenders of America, LLC CAFO, CWA-2019-9970(b).

Public comments received Y/N: Yes
If yes, comments have been resolved Y/N: Yes

Electronic Version Saved on: \\D0404JR4EC014\Water-Share\Wetlands Enforcement\Enf Orders\GA\Sluder\CAFO\Routing\Final Routing

Route in green folder

Message

From: Young, Angela [Young.Angela@epa.gov]
Sent: 5/26/2020 3:26:22 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Cover letter
Attachments: Sluder CAFO Cover letter -- post execution.docx; Sluder CAFO Cover letter Post Execution.docx; Sluder CAFO Routing slip.doc

Hello Dan,

Can you check with Joel regarding the routing sheet I added on Thursday? I haven't heard from him.

Thanks,

Angela

From: Young, Angela
Sent: Thursday, May 21, 2020 8:18 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: FW: Cover letter

Hello Joel,

Please initial and complete the bottom portion of the attached routing sheet.

Thanks,

Angela

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, May 21, 2020 7:09 AM
To: Young, Angela <Young.Angela@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Cover letter

Might help if I attach it...

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/2/2020 3:21:54 PM
To: Lamberth, Larry [Lamberth.Larry@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Putting you in the loop on this. ORC is having trouble getting the water CAFOs and the public notices approved by Tanya. I know Steven has had multiple conversations with her prior to us submitting the Sluder/Mortgage Lenders package and we thought everything was in line with her requirements. She just got the Sluder package yesterday and came back with a long email of comments. Some do not appear to be requirements under Part 22 but just her preference. Steven is following up with Tanya but this seems to be a growing problem.

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

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A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and

all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/11/2020 4:08:52 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
Sent: 9/17/2020 5:30:55 PM
To: Strange, Joel [Strange.Joel@epa.gov]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Sluder, Ron [Ron.Sluder@silvertonmortgage.com]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Thank you Joel!

I will attached to order for finance.

Have a great day!

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, September 17, 2020 10:51 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Here you go.

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 10:32 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

No worries,

I will get information from program staff/attorney.

Thank you again,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 9:55 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

I don't have it that was like a year ago

Apply Online Now! Upload Documents

Ron Sluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 9:50 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Hi Mr. Sluder,

Please send me an email of receipt payment.

Thank you,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

We have already paid the fine, you have record of payment correct?

Apply Online Now! Upload Documents

SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron

<Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Strange, Joel [Strange.Joel@epa.gov]
Sent: 9/17/2020 2:51:11 PM
To: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Sluder, Ron [Ron.Sluder@silvertonmortgage.com]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Sluder Payment.pdf

Here you go.

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 10:32 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

No worries,

I will get information from program staff/attorney.

Thank you again,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 9:55 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

I don't have it that was like a year ago

Apply Online Now! Upload Documents

Ron Sluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 9:50 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Hi Mr. Sluder,

Please send me an email of receipt payment.

Thank you,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

We have already paid the fine, you have record of payment correct?

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SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure* the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Message

From: Sluder, Ron [Ron.Sluder@silvertonmortgage.com]
Sent: 9/17/2020 11:50:04 AM
To: Strange, Joel [Strange.Joel@epa.gov]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Stuart Sligh [s_sligh@slighec.com]
CC: Floyd, Tanya [Floyd.Tanya@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Henderson, Jessica [Henderson.Jessica@epa.gov]; Smith, Quantindra [Smith.Quantindra@epa.gov]; Shirley, Teresa [Shirley.Teresa@epa.gov]; Mattox, Mary [Mattox.Mary@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Ok. Thks

Apply Online Now! Upload Documents

Ron Sluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, September 17, 2020 7:46 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Yes, we have it.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

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Apply Online Now! Upload Documents

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure* the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917658 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Strange, Joel [Strange.Joel@epa.gov]
Sent: 9/17/2020 11:26:20 AM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: Sluder ICIS
Attachments: admin_aads_ccds_combined_May2020.docx; CAFO - Mortgage Lenders of America.pdf; Cover Letter - Mortgage Lenders of America.pdf; Sluder ejscreen_SOE.pdf

Dan,

Here is the ICIS form for your signature and the other documents that go the ICIS email address.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
Sent: 9/17/2020 11:06:15 AM
To: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
CC: Floyd, Tanya [Floyd.Tanya@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Routing Slip - Mortgage Lenders of America.pdf

Attached: Routing Slip

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; ron.sluder@silvertonmortgage.com
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
Sent: 9/17/2020 11:01:04 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; ron.sluder@silvertonmortgage.com
CC: Floyd, Tanya [Floyd.Tanya@epa.gov]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Henderson, Jessica [Henderson.Jessica@epa.gov]; Smith, Quantindra [Smith.Quantindra@epa.gov]; Shirley, Teresa [Shirley.Teresa@epa.gov]; Mattox, Mary [Mattox.Mary@epa.gov]
Subject: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Cover Letter - Mortgage Lenders of America.pdf; CAFO - Mortgage Lenders of America.pdf

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Floyd, Tanya [Floyd.Tanya@epa.gov]
Sent: 9/16/2020 8:56:01 PM
To: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
CC: Bullock, Patricia [Bullock.Patricia@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: CAFO for filing in the matter of Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America CAFO-9-16-20.pdf; Mortgage Lenders of America- Routing Slip-9-16-20.pdf

Hi, Pat,

Please file and serve the ratified CAFO attached in the above referenced matter. Also attached are the transmittal letter, routing sheet, and documents to be included in the file for this matter.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Wednesday, September 16, 2020 10:13 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>
Cc: Young, Angela <Young.Angela@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Mortgage Lenders of America, LLC (Sluder) CAFO Package

Tanya/Pat-

Attached are the ESA documents for Mortgage Lenders of America, LLC (aka Sluder). This particular case went on Public Notice in October 2019 and received a comment. The comment and the EPA's response are attached. It is my understanding that Stephen Smith and you (Tanya) had a conversation about the public notice screen shots and that it was agreed that the current screen shots would be accepted. Please let me know if you need any additional information.

Sincerely-
Mary Jo

From: Strange, Joel
To: Smith, Stephen
Subject: FW: [EXTERNAL] RE: Sluder
Date: Monday, August 3, 2020 5:25:06 PM
Attachments: image001.png
image002.png
image003.png
image004.png

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 5:17 PM
To: Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Subject: Re: [EXTERNAL] RE: Sluder

Yes electronic delivery is good with me. Thks

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Ron Sluder | **Mortgage Loan Originator**
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 5:15:05 PM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Stuart Sligh <s_sligh@slighec.com>
Subject: RE: [EXTERNAL] RE: Sluder

Ron,

I don't need a signature. The copy was just for you to review the changes in the delivery method. Your signature on the previous one is fine. All I need is your concurrence that electronic delivery instead of regular mail is okay.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 4:48 PM
To: Stuart Sligh <s_sligh@slighec.com>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Re: [EXTERNAL] RE: Sluder

I'm good with it will have signed and sent back tomorrow Thks

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Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917856 GRMA 35037

From: Stuart Sligh <s_sligh@slighec.com>
Sent: Monday, August 3, 2020 4:45:54 PM
To: 'Strange, Joel' <Strange.Joel@epa.gov>
Cc: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: Sluder

External email: careful w/ links or attachments

Ron: Can you send email to Joel Strange (Copied on this email) stating you are good with electronic delivery of the EPA CO for Captains Cove.
Thanks,
Stuart

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 4:16 PM
To: Stuart Sligh <s_sligh@slighec.com>
Subject: Sluder

Stuart,

Just checking in. All we need from Sluder is an email saying that he is okay with electronic delivery.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Bragan, Mary Jo

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, May 8, 2020 1:31 PM
To: Smith, Stephen
Cc: Strange, Joel
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for your email, Stephen. All is going as well as can be expected around here. Hopefully for you, too.

I conferred with my client and although we respectfully disagree with the EPA's conclusions in this matter, we decided not to contest the proposed Consent Agreement and Final Order.

On a side note, any idea when you and your colleagues may begin returning to the office? Our firm is initiating a phased return next week, but it will likely be a couple of weeks after that before most people actually return to a daily office "routine."

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, May 8, 2020 11:33 AM
To: John Brunini
Cc: Strange, Joel
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John – Hope you're well. We are currently still out of the office due to Covid and have no access to our mailroom. I wanted to confirm whether you had sent anything by mail regarding this case since your original comment. Please advise and thanks so much.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554

ED_005579_00000422-00001

Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

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Appointment

From: Bragan, Mary Jo [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=860D1A46EC2349858C5588B0AF12E1F3-BRAGAN, MARY]
Sent: 9/16/2020 4:10:02 AM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]

Subject: Sluder CAFO Package review
Attachments: Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America- Routing Slip.pdf; Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf
Location: Microsoft Teams Meeting

Start: 9/16/2020 1:00:00 PM
End: 9/16/2020 1:30:00 PM
Show Time As: Busy

Required Attendees: Dan Olone (Olone.Dan@epa.gov); Strange, Joel; Young, Angela; Smith, Stephen

Let's have a quick meeting to go over the CAFO package before it gets sent to Tanya.

Join Microsoft Teams Meeting

+1 202-991-0477 United States, Washington DC (Toll)

Conference ID: 294 719 652#

Local numbers | Reset PIN | Learn more about Teams | Meeting options

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 9/3/2020 5:38:22 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

Joel, I've inserted signature blocks (RJO & RHC included) in this updated CA/FO.
Please send it on to Sluder and emphasize the tight time frame for return – thanks.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, September 3, 2020 10:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Dan/Joel – Please use the attached PDF of the CAFO for getting Sluder's signature. I've updated it with page numbers 9 and 10 per Tanya's email. Will be so happy when this damn case is final…ha.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, September 3, 2020 9:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

The parties, both the Respondent and ECAD,

will need to resign the revised Consent Agreement. The initial CA signature page does not match/look exactly like the revised CA signature page (please see how the signature page on the prior document does not match/look exactly like the signature page on the new document).

I was unaware that was the situation when you asked if the Respondent would need to resign. Most of the programs in ECAD have separate signature pages for each party which are separate from the body of the CA. You did not mention that the prior CA signature page differed from the revised CA signature page when asking the question if the parties needed to resign the CA.

Whenever the original signature page signed by a Respondent changes due to different page numbering, different paragraph numbering within the body of the CA, etc., and the prior CA signature page does not exactly match the signature page in the revised CA (or ESA), the Respondent will need to resign if the Respondent had signed in wet ink and submitted a pdf signature page. The signature page on the prior CA must match exactly to the signature page on the revised CA, including the page numbers, for a Respondent not to have to resign (if the Respondent signed in wet ink and submitted a pdf signature and approved the changes after signature in writing).

Any changes to the CA after a Respondent signed electronically will require the Respondent (and EPA, if it also had electronically signed a prior version) to resign the revised CA since the electronic document will no longer be the "original" document.

What many programs did in ECAD was change CAFO models to have separate signature pages for each party (one signature page for Respondent, one signature page for EPA) on separate pages from the body of CA thereby reducing when a Respondent would need to resign if changes are needed to the document after signing (in wet ink).

Page numbering also needs to be included on the Final Order and the Certificate of Service in the revised CAFO (ex. the Final Order would be number p. 9 and the Certificate of Service would be p. 10).

I previously asked if a PN attachment, such as that included in the 2nd routing, was placed as an attachment to the public notice on EPA's website for the matter and you informed me it was not. Therefore, the Word PN included in the 2nd routing package did create significant confusion. Only the true and accurate documents attached to the PN should be included in the routing package.

Any future CWA CAFO or ESA routing packages MUST include a complete screenshot(s) of the entirety of the public notice (from the top of the page with the date to the bottom of the page, no partial PN screenshot) and true and accurate copies of all attachments to the PN (such as a copy of the proposed CAFO, any exhibits, Violations Forms, etc.). Please see both the RJO Checklist and the SOP during unscheduled telework discussing this requirement.

The screenshots provided in this matter are not the entirety of the public notice. I will not accept any similar screenshots for future matters – **any future CWA CAFOs or ESAs routed to me MUST contain screenshots showing the entirety of the public notice on EPA's website and also true and accurate copies of all attachments thereto, such as the proposed CAFO or ESA, exhibits, Violations Forms, etc.** I need to see the entirety of what is placed on EPA's website regarding the public notice to determine compliance with 40 C.F.R. § 22.45. This is not a new requirement so screenshots of the entirety of the PN should have been captured for this matter and attachments thereto included in the initial routing package. Since a comment was received on the proposed CAFO, I am certain a public notice was provided in this matter.

To provide clarity on dating of the cover letter transmitting a ratified CAFO or ESA – it is the top of the page under the EPA address that is not to be dated by ECAD because the RHC will include the date of filing on the cover letter at the top of the letter. Electronic signatures by EPA officials should show the date and time of signature– see the Adobe electronic signing instructions included in Leif's email dated June 29, 2020.

Please contact Pat with any questions or to see copies of cover letters submitted by other ECAD programs leaving the date off the top of the letter and the electronic signature including the time and date of the ECAD signatory.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 2:33 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Thank, Tanya. Below are my responses to your comments (in red) based on my communication with ECAD. Let me know if you have any questions and whether we need to schedule a call. I've also attached a PDF version of the updated CAFO.

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the

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requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, ECAD's understanding per the SOP was that the cover letter was to be undated so the date can be added by the RHC. The signature was undated so, that once it was finalized, there would not be a conflict between the date on the letter and the date in the signature. Let us know if that is not correct and Mary Jo can re-sign.

Thanks for your help as always!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/2/2020 4:56:34 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)
Attachments: RE: Sluder Routing; Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-2-20).pdf

Looping in Mita.

Dan – Great memory. I found the email where I confirmed to you that she would let the PN pass when you asked me about it (see attached). I've updated my draft response below (in red) to reflect this. Also, attached is the PDF version of the updated CAFO. What do you guys think?

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature

pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Wednesday, September 2, 2020 12:04 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lenders of America (Ron Sluder)

Stephen, I think your language is good, but really do not want to ask her if we have to re-PN.
I think one of your previous emails indicated you discussed this issue with her previously and she agreed to let this go through.

Do you need me to look for that email or is that what you recall as well?

I've cc'd MJ because I need her to be aware of the challenges we're having.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, September 2, 2020 10:43 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

I don't think your response is bad, but you were much more diplomatic than I would have been. If she says we have to PN it again....

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 10:35 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Below is my draft response to Tanya's latest email (in red). Let me know what you think. I've also attached my response to her original June 30th email for additional context on what we had previously discussed.

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

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screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. Regarding the PN, it was published back in October 2019 and is only getting to you now because of the response to comments that occurred and your June 30th email about the package requesting changes and us getting the Respondent's approval for the changes. To my understanding, the screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

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2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Based on the responses above in red, two more important questions:

1. Do we need everyone to re-sign the updated CAFO if we already have the completed signature page for the prior CAFO and got approval from the Respondent of the changes made to the CAFO?
2. Given that the CAFO was public noticed back in October and has since had comments and responses, do we now need to re-public notice the CAFO due to the issues raised? We've obviously since updated the PN model and process

to address your concerns for all future CAFOs, but we did not confirm whether this PN needed to be re-published as well – the focus and discussion was admittedly more so correcting the model for future CAFOs.

Let us know what you think and thanks always for your help!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the

routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/5/2020 1:48:47 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder Routing

That's what she told me… I can ask though?

Stephen P. Smith
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Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Wednesday, August 5, 2020 9:40 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder Routing

Ok, I'll send these to MJ.

Stephen, are we sure Tanya will remember that she gave us a pass on the documentation of the PN for this one because based on yesterday's call with her the 2 pics here would not suffice – just want to be sure before I send it to MJ.
Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/24/2020 5:24:50 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Sluder public notice.docx; Sluder-Public-Notice-Template-newDec2016.docx

No problem. Happy to talk. Maybe 1:45? And what I mean by PDF is essentially the attached PN with all required info copied into a PDF and then attached with the CAFO in the published PN on the website. Does that make sense?

Stephen P. Smith
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smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, July 24, 2020 12:41 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

My head is starting to hurt over PNs and we have several in the works now.
Stephen, Joel offline until about 2:30 at which point I'd like to have been offline for an hour or so.
Can you and I have a call before 2?

I'm not clear on putting together the content of the pdf to send to Tanya.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, July 24, 2020 8:07 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Instead of simply sending the form/Word doc to Sherry for her to copy and paste onto the website, you would include an actual PDF copy of the Word doc of the PN with the copy of the proposed CAFO as an attachment to the PN.

Stephen P. Smith
Associate Regional Counsel

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Atlanta, Georgia 30303
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Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, July 24, 2020 7:59 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

What do you mean by a PDF copy? What does that include?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, July 24, 2020 7:52 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Good morning, guys. Thoughts? A PDF copy of each PN may resolve some of this confusion in the future.

Stephen P. Smith
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, July 23, 2020 10:24 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen,

As a follow-up to the email below and our subsequent email and phone conversations, I have a question: prior CWA CAFO public notices included a summary of the matter, a public notice attachment to that summary which included information about the 40 C.F.R. 22.45 process, a contact name and contact information for a Program person for more information, and a copy of the CAFO. It appears from the documents sent for this CAFO that a public notice attachment with information about 22.45 and an ECAD contact for more information is no longer part of the CWA public notice. Is that correct or was a separate document attached to the public notice with more information about the 22.45 process?

Since previous R4 CWA CAFO public notices are deleted from EPA's website, I could not find a previous R4 CWA CAFO public notice example to send you (to show differences from the public notice sent for this matter compared to prior CWA public notices). Instead, I found examples of CWA public notices from R7 with similar information as included in prior R4 CWA public notices about 22.45 and an ECAD contact name. Please see: https://www.epa.gov/ks/region-7-table-clean-water-act-public-notices

Examples of same or similar language previously included in R4 public notices as in the R7 public notices includes:

"In accordance with Section 309(g)(4)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), the Environmental Protection Agency ("EPA") is providing notice of a proposed Administrative Penalty Assessment against In accordance with Section 309(g)(4)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), the Environmental Protection Agency ("EPA") is providing notice of a proposed Administrative Penalty Assessment against …."

"Final approval of the proposed Consent Agreement/Final Order is subject to the requirements of 40 C.F.R. § 22.45."

"The procedures by which the public may submit written comments on a proposed [Class I] [Class II] order or participate in a [Class I] [Class II] proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. Persons wishing to obtain additional information on the proceeding, receive a copy of the EPA's Consolidated Rules, review the proposed Consent Agreement/Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact …."

"For technical questions contact …, Enforcement and Compliance Assurance Division, at [phone #] or [email]."

"In order to provide opportunity for public comment, the EPA will issue no final order assessing a penalty in this proceeding prior to forty (40) days from the date of this notice."

Was the above language or similar language included in the public notice for this matter? Were all attachments to the CAFO (such as any maps and diagrams, violations forms, payment instructions) included in the public notice for this matter. If a CAFO or ESA is included as part of the public notice, please include all attachments to that document in the public notice (any exhibits or attachments listed in the CAFO or ESA unless CBI) and send copies of such in CWA CAFO or ESA routing packages (please include in CWA CAFO or ESA routing packages all documents included on EPA's website, including any attachments part of the notice such as an attached public notice beyond the summary and CAFO or ESA with attachments).

Some of the RJOs mentioned that CWA public notices in their Regions are mentioning during COVID that public comments or requests for a copy of the Consolidated Rules or request to participate in the proceeding are to be sent to the RHC's email address and if people do not have capability to do so, to contact the RHC by phone (and include the RHC's phone #). As fyi, Pat is teleworking and not going into the office during Phase 1. Neither am I. Here's an example from R10: "Because of COVID-19 response, access to the Region 10 EPA building is limited. Therefore, we request that all written comments be sent via email to the Regional Hearing Clerk [], within 30 days of the date of this notice. Be sure to include your name and address if you would like a response. Comments should reference docket number **[]**. If you are unable to submit written comments via email, please call []."

I am happy to review a model public notice for Part 22 compliance. However, I cannot review or discuss any documents with case specific facts prior to such documents being ripe for my review (i.e. being signed by all the parties and public notice being complete). Otherwise, my recusal may be necessitated if case specific facts or documents are shared with me prior to a matter being ripe for review.

Please give me a call on my cell at 404-934-4883 if you would like to discuss.

Thank you,

Tanya

From: Floyd, Tanya
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 7/20/2020 11:32:44 AM
To: ronsluder@silvertonmortgage.com
CC: Stuart Sligh [s_sligh@slighec.com]; Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Updated CAFO
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx

Mr. Sluder,

We are now in a position to finalize the attached CAFO for Mortgage Lenders of America. However, due to the current situation, we are providing delivery of the documents by email versus regular mail. The CAFO has been updated to reflect that change. Please review the attached document and verify if the changes are acceptable to you. If so, we can proceed with finalizing the order as soon as we hear back from you.

Thanks,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/17/2020 7:09:53 PM
To: Strange, Joel [Strange.Joel@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
CC: Doan, Quint [Doan.Quint@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx

I spoke to Tanya and have some clarity. We will *not* need to re-publish the PN, though there will likely need to be some updates to the model PN process. I've spoken to Dan about some of this and we can discuss more later if needed. For now, see below.

Joel – I've updated is the attached CAFO reflecting the new electronic requirements due to teleworking during the pandemic (it's also in the T-drive under "Revised Routing"). Can you please review and make sure you're okay with the changes – also, update it with Sluder's email address in the areas highlighted in yellow. Then, can you email Sluder a copy of the updated CAFO letting him know of the new changes and asking him to accept by replying stating so. We'll then include his email in the revised routing package to Tanya.

Once that's done, we'll need Mary Jo to re-sign the CAFO electronically.

It looks like we'll also need to redo the CAFO cover letter, but let's go ahead and reach out to Sluder now and we can figure out the cover letter later.

Stephen P. Smith
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U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, July 15, 2020 11:15 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Doan, Quint <Doan.Quint@epa.gov>
Subject: RE: Sluder

Here is one that was done in 2017.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, July 15, 2020 11:11 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Doan, Quint <Doan.Quint@epa.gov>
Subject: RE: Sluder

Dan/Joel - Just saw this sentence in Tanya's email:

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Do you know if this was case? Do you remember any changes to the model around that time or prior? Just confirming.

Stephen P. Smith
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61 Forsyth Street, S.W.
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Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, July 15, 2020 10:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 7/15/2020 2:49:29 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder
Attachments: Sluder CAFO.doc; Sluder CAFO Cover letter Post Execution mjb.docx

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 7/15/2020 2:21:08 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder
Attachments: Public notice screenshot.PNG; Public notice screenshot2.PNG; Sluder public notice.docx; Sluder-Public-Notice-Template-newDec2016.docx

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

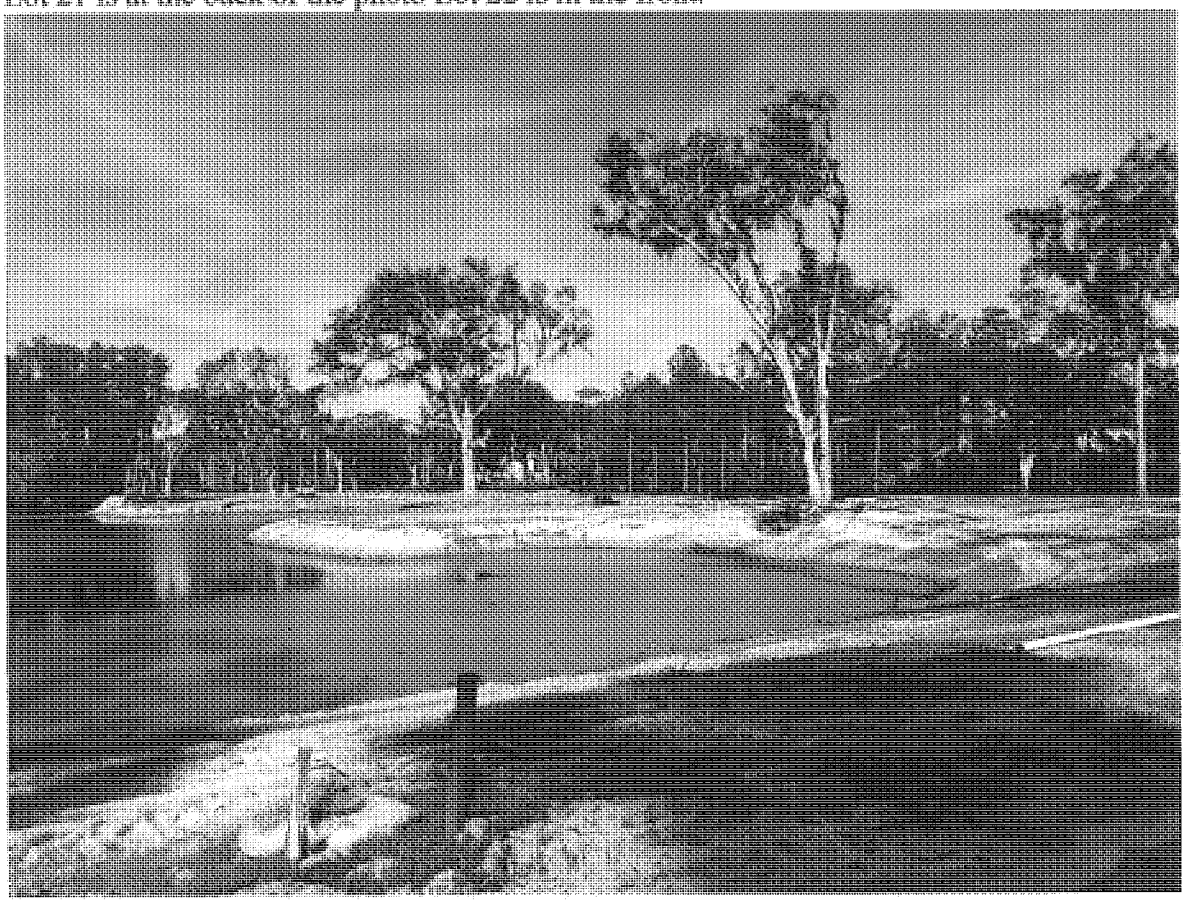
From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 10/16/2019 3:04:00 PM
To: Guzman, Humberto [Guzman.Humberto@epa.gov]
Subject: RE: Can I call you?
Attachments: 1.8.19 MFR Site Inspection Captains Cove SAS-2014-00615.pdf; 7.6.18 SAS-2014-00615 Sluder Captains Cove Vol Comp Letter.pdf; Captains Cove Timeline.docx; 3.7.17 SAS-2014-00615 Sluter Captain Cove NWP 14 and 18.pdf

From: Guzman, Humberto <Guzman.Humberto@epa.gov>
Sent: Wednesday, October 16, 2019 10:36 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Can I call you?

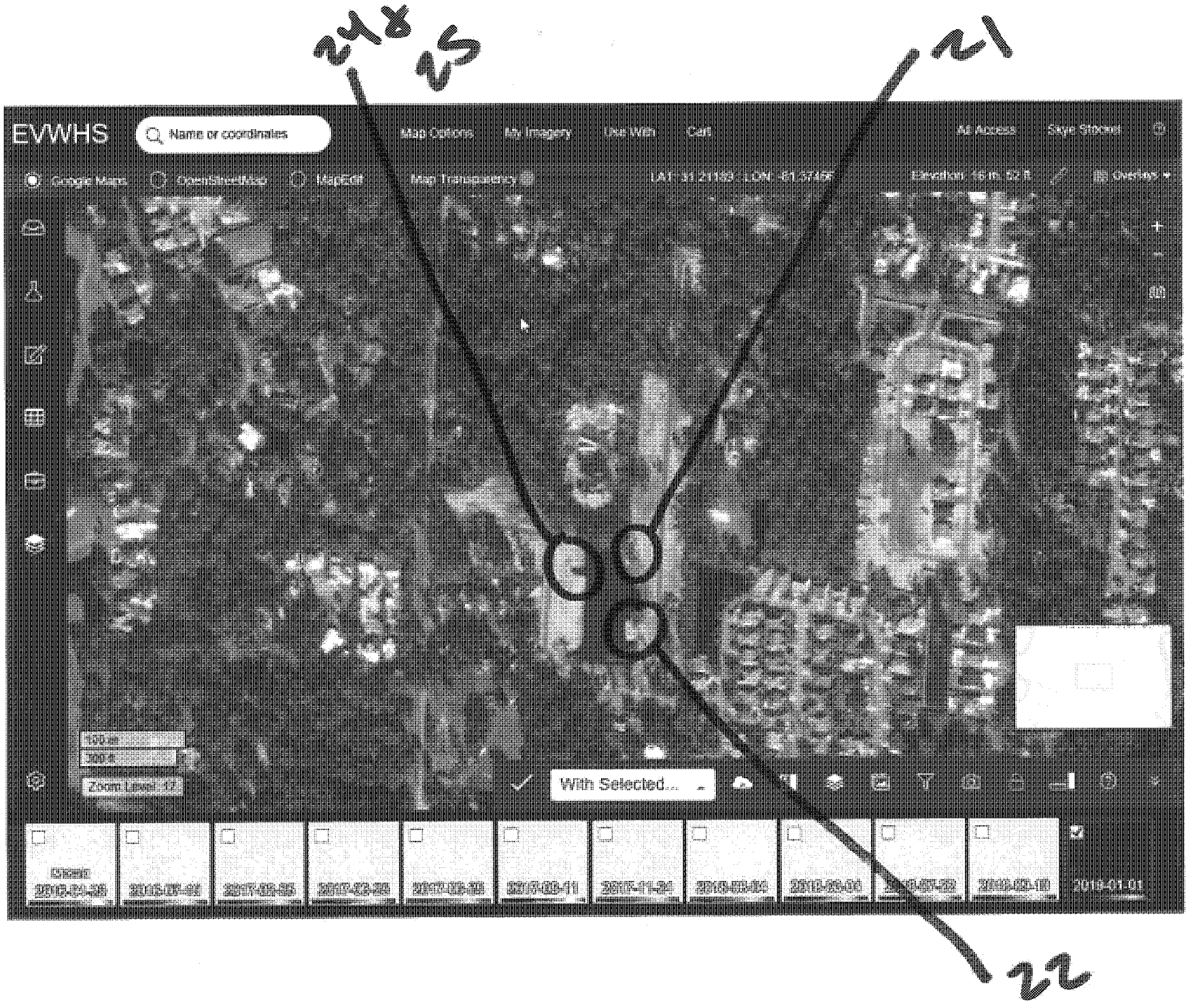
Lot 22 taken from Lot 21

Lot 21

Lot 21 is at the back of the photo Lot 22 is in the front.



Lots 24 and 25 are on the left side top of the photo. Lots 21 and 22 are on the right side.


24 & 25
21
22
EVWHS
Name or coordinates
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My Imagery
Use With
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All Access
Skye Stocket
Google Maps
OpenStreetMap
MapEdit
Map Transparency
Overlays
Zoom Level
With Selected...
Clear
2018-01-01

EVWHS
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My Imagery
Use With
Cart
All Access
Skye Stocker
Google Maps
OpenStreetMap
MapEdit
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Zoom Level: 17
2018-03-04

EVWHS
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Use With
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All Access
Skye Stockel
Google Maps
OpenStreetMap
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Map Transparency
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Zoom Level
2012-11-24

EVWHS
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My Imagery
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Skye Stocks
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EVWHS
Name or coordinates
Map Options
My Imagery
Use With
Cart
All Access
Skye Stocker
Google Maps
OpenStreetMap
MapEdit
Map Transparency
Overlay
With Selected...
Zoom Level: 17

Appointment

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/16/2020 4:11:22 AM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]

Subject: Sluder CAFO Package review
Attachments: Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America- Routing Slip.pdf; Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf
Location: Microsoft Teams Meeting

Start: 9/16/2020 1:00:00 PM
End: 9/16/2020 1:30:00 PM
Show Time As: Tentative

Required Attendees: Dan Olone (Olone.Dan@epa.gov); Strange, Joel; Young, Angela; Smith, Stephen

Let's have a quick meeting to go over the CAFO package before it gets sent to Tanya.

Join Microsoft Teams Meeting

+1 202-991-0477 United States, Washington DC (Toll)

Conference ID: 294 719 652#

Local numbers | Reset PIN | Learn more about Teams | Meeting options

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 6/30/2020 3:30:44 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: ATTACHMENT A.pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Sluder Accounts Receivable Form.doc; Sluder CAFO Cover letter Post Execution mjb.docx; Sluder CAFO Routing slip.doc; Sluder Exhibit A.pdf; Sluder Exhibit B.pdf; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 5/8/2020 4:24:10 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Nope, you are on the right track Stephen – thanks.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, May 8, 2020 8:32 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I'll reach out today by email. Don't want to drum up communication/issues per se, but makes sense to confirm in case mailed, unless Dan prefers otherwise.

_____
Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, May 8, 2020 7:34 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Would it make sense to contact the attorney and see if they sent anything since we are not in the office?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, May 5, 2020 11:54 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything from John since this last email. Any word or response on your ends?

If they wanted to still set aside the CAFO, they were required to file a petition within 30 days of receipt of the response to comments which was approximately April 27, 2020.

Stephen P. Smith
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Atlanta, Georgia 30303
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smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, April 10, 2020 3:30 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio

FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

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From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
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smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

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Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 5/8/2020 12:32:20 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I'll reach out today by email. Don't want to drum up communication/issues per se, but makes sense to confirm in case mailed, unless Dan prefers otherwise.

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Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
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Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Message

From: Blocker, Shaun L CIV USARMY CESAS (USA) [Shaun.L.Blocker@usace.army.mil]
Sent: 9/28/2020 9:59:44 PM
To: Strange, Joel [Strange.Joel@epa.gov]; Stockel, Skye H CIV USARMY CESAS (USA) [Skye.H.Stockel@usace.army.mil]
CC: Rutlin, William M CIV USARMY CESAS (USA) [William.M.Rutlin@usace.army.mil]
Subject: FW: Sluder Order
Attachments: CAFO - Mortgage Lenders of America.pdf; Cover Letter - Mortgage Lenders of America.pdf

Thanks Joel. I have added Skye to this email so that she will have this information for her records. We appreciate your help with this matter.

Shaun Blocker
Chief, Management Branch
Regulatory Division
U.S. Army Corps of Engineers, Savannah District
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3604
Phone (912) 652-5086
Fax (912) 652-5995

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey, and completing the survey on-line. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office.

Note: If the link is not active, copy and paste it into your internet browser.

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 28, 2020 2:47 PM
To: Blocker, Shaun L CIV USARMY CESAS (USA) <Shaun.L.Blocker@usace.army.mil>
Subject: [Non-DoD Source] Sluder Order

Here is the final Order for Sluder's penalty.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 5/5/2020 6:33:40 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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From: Smith, Stephen <Smith.Stephen@epa.gov>
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smith.stephen@epa.gov

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Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
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Message

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Sent: 5/5/2020 3:53:37 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
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Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 4/10/2020 12:51:00 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Good question. My guess is that the Response to Comment was likely included in what John received (since it was included in the copy that Wendy sent us), but the proposed CAFO was not. The date of the letter was 3/24/20, so with 30 days and over the weekend to receive the letter, we're looking at probably 4/27/20. Unless John asks for an extension, my recommendation would be to stay with the 27th.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, April 10, 2020 8:36 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

What was the date that the letter went out? Does their 30 days start then or now since they were missing the attachments?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
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smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/21/2020 2:00:17 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Scheidler
Attachments: Cover Letter - Mortgage Lenders of America.pdf

So the cover letters need to be updated to reflect electronic mail delivery and the cc's to the Corps need to be removed (you can forward the finals by email once they're signed).

Here's the final Sluder cover letter as an example.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 21, 2020 7:34 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Scheidler

Stephen,

Here are the documents (make sure I have the right orders) for Scheidler. Make sure these look okay and I'll get them ready to go.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/27/2019 5:22:37 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - CAFO (SPS Edit) (8-27-19).docx

See attached. I made changes to be consistent with the 404 model CAFO that you previously sent me. Please review and make sure I didn't miss anything, including typos, formatting, etc. Once you're okay with it, feel free to start routing!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 27, 2019 6:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Have been talking to Natalie and others about it. Hoping to confirm everything ASAP.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 26, 2019 3:23 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Any progress?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/8/2020 2:05:58 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: FW: Revised Order
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

This is what I sent him.

From: Strange, Joel
Sent: Thursday, September 3, 2020 2:54 PM
To: 'Sluder, Ron' <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Revised Order

Ron,

Once again, I must apologize for the delays in finalizing your order. This whole covid mess has really affected our process and we are working on methods to get the orders out and still meet the requirements under our regulations. That being said, if you would be kind enough to resign the attached order, we should be able to get this turned around quickly for you. The order is still the same as the previous one, it just has been updated with electronic signature blocks. Please sign electronically and send it back to me through email as soon as you can.

Thanks for your patience,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/23/2019 11:58:13 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder
Attachments: Sluder - CAFO (SPS Edit) (8-20-19) (Updated).docx

Here it is with corrections except for the ones you were going to check on.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/17/2020 11:46:01 AM
To: Sluder, Ron [Ron.Sluder@silvertonmortgage.com]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Stuart Sligh [s_sligh@slighec.com]
CC: Floyd, Tanya [Floyd.Tanya@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Henderson, Jessica [Henderson.Jessica@epa.gov]; Smith, Quantindra [Smith.Quantindra@epa.gov]; Shirley, Teresa [Shirley.Teresa@epa.gov]; Mattox, Mary [Mattox.Mary@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Yes, we have it.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

We have already paid the fine, you have record of payment correct?

Apply Online Now! Upload Documents

SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure* the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/3/2020 6:54:04 PM
To: 'Sluder, Ron' [Ron.Sluder@silvertonmortgage.com]
CC: O'Lone, Dan [Olone.Dan@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Revised Order
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

Ron,

Once again, I must apologize for the delays in finalizing your order. This whole covid mess has really affected our process and we are working on methods to get the orders out and still meet the requirements under our regulations. That being said, if you would be kind enough to resign the attached order, we should be able to get this turned around quickly for you. The order is still the same as the previous one, it just has been updated with electronic signature blocks. Please sign electronically and send it back to me through email as soon as you can.

Thanks for your patience,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/20/2019 6:34:15 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder CAFO
Attachments: Sluder - CAFO (SPS Edit) (8-20-19) (Updated).docx

Joel – Attached is my initial review of the draft CAFO. Let's discuss tomorrow morning if you're free. Talk soon!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 15, 2019 3:44 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

Since you were out, I went ahead and talked to Sluder's consultant. I told him $20,000 and Sluder agreed. I am drafting the rest of the documents for routing now.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 12:03 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Sounds good. Talk then.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 15, 2019 11:59 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

No problem

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 11:57 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

FYI, have been pulled away by other cases and am now out of the office this afternoon and tomorrow, so plan to review the CAFO on Monday if okay. Talk soon.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 13, 2019 9:18 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Great. Thanks.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 9:18 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

It was one that I just finished.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, August 13, 2019 9:17 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Okay, great. Will look at. Did you pull this CAFO from a prior draft or is it from the new CAFO models?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 8:10 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder CAFO

Here is the draft, but I still don't know haw it will be named. I emailed the consultant this morning. I do have a question on paragraph 49. I guess this is model language, but it seems to go against our third party policy.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 3/2/2020 3:51:42 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder
Attachments: Sluder - Response to Public Comments (Draft Option 3) (3-2-20).docx

Got Mita's input, so attached is the updated option. Please review. Give me a call when you do.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 2/13/2020 3:16:38 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder
Attachments: Sluder - Response to Public Comments Strange (2-13-20).docx

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 2/12/2020 5:34:26 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments Strange (SPS Edit) (2-12-20).docx

Made few edits/changes. Though the wetlands description you added is helpful, I think we really need to get into what and how the violations we're specifically pursuing in this CA/FO "disturbed" or affected resources at or around the Site. Can you add additional context or information for this?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, February 12, 2020 12:07 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

See what you think about this. I do think that they may come back with the whole 1.5 acre wetland is a violation. We may still want to consider some discussion about dredging.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 2/12/2020 5:06:53 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder
Attachments: Sluder - Response to Public Comments Strange (2-12-20).docx

See what you think about this. I do think that they may come back with the whole 1.5 acre wetland is a violation. We may still want to consider some discussion about dredging.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 2/10/2020 5:03:26 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Hicks, Matt [Hicks.Matthew@epa.gov]
Subject: Sluder - Updated Response to Comments
Attachments: Sluder - Response to Public Comments (Updated Draft) (2-10-20).docx

Joel – See attached. Let me know when you're able to update it with the additional information discussed. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 1/23/2020 2:33:24 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Sluder - Response to Comments

Looks good to me.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, January 23, 2020 9:06 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder - Response to Comments

Thanks. Attached are the final drafts for response to comments.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, January 23, 2020 8:45 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

Mr. Ron Sluder
Mortgage Lenders of America, LLC
230 West Bay St
Jesup, Georgia 31545

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, January 23, 2020 8:41 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder - Response to Comments

Do you have the mailing address for Mortgage Lenders of America?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486

smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, January 21, 2020 11:37 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

I don't see any issues with it.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, January 21, 2020 10:47 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Sluder - Response to Comments

Joel – Was able to talk to Suzanne last week. See the attached update, particularly the last paragraph. Suzanne's recommendation was to address the .25 v. 1.5 acre issue and I agree. Let me know what you think. Also check the updated Corps language in the second paragraph of page two. I made a few minor adjustments to it after re-looking at the EPA/Corps memo.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/23/2020 2:06:23 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder - Response to Comments
Attachments: Sluder - Notice of Right to Petition (Cover Letter) (Final Draft) (1-21-20).docx; Sluder - Response to Public Comments (Final Draft) (1-21-20).docx

Thanks. Attached are the final drafts for response to comments.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, January 23, 2020 8:45 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

Mr. Ron Sluder
Mortgage Lenders of America, LLC
230 West Bay St
Jesup, Georgia 31545

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, January 23, 2020 8:41 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder - Response to Comments

Do you have the mailing address for Mortgage Lenders of America?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, January 21, 2020 11:37 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

I don't see any issues with it.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, January 21, 2020 10:47 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Sluder - Response to Comments

Joel – Was able to talk to Suzanne last week. See the attached update, particularly the last paragraph. Suzanne's recommendation was to address the .25 v. 1.5 acre issue and I agree. Let me know what you think. Also check the updated Corps language in the second paragraph of page two. I made a few minor adjustments to it after re-looking at the EPA/Corps memo.

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Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 1/23/2020 1:45:18 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Sluder - Response to Comments

Mr. Ron Sluder
Mortgage Lenders of America, LLC
230 West Bay St
Jesup, Georgia 31545

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To: Strange, Joel <Strange.Joel@epa.gov>
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Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/15/2019 7:05:22 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Sluder CAFO
Attachments: Sluder Rapanos Memo.docx; Sluder CAFO.doc

I added the Respondent name now, so here is the updated documents.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 12:03 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Sounds good. Talk then.

Stephen P. Smith
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smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 15, 2019 11:59 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

No problem

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 11:57 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

FYI, have been pulled away by other cases and am now out of the office this afternoon and tomorrow, so plan to review the CAFO on Monday if okay. Talk soon.

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smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 13, 2019 9:18 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Great. Thanks.

Stephen P. Smith
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smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 9:18 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

It was one that I just finished.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, August 13, 2019 9:17 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Okay, great. Will look at. Did you pull this CAFO from a prior draft or is it from the new CAFO models?

Stephen P. Smith
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smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 8:10 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder CAFO

Here is the draft, but I still don't know haw it will be named. I emailed the consultant this morning. I do have a question on paragraph 49. I guess this is model language, but it seems to go against our third party policy.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/8/2019 7:10:06 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Nagrani, Kavita [Nagrani.Kavita@epa.gov]
Subject: Sluder - Penalty Memo Edit
Attachments: Sluder - Penalty Memo (SPS Edit Based on Kavita Edits) (8-8-19).docx

Joel – Per our discussion, attached is the updated Sluder penalty memo reflecting Kavita's comments/edits (thanks, Kavita!). Hopefully, this represents the same memo language (excluding Kavita's edits) as the final version currently routing. Please check to confirm. Thanks.

Stephen P. Smith
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Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/13/2020 3:32:48 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder
Attachments: Sluder - Response to Public Comments (Draft) (1-9-20).docx

Are you free to talk within the next hour? Attached is updated version of the response to comments.

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Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/9/2020 7:26:31 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments (Draft) (1-9-20).docx

Sorry we keep missing each other and that I wasn't able to call you back today. Will call you tomorrow.

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From: Smith, Stephen
Sent: Wednesday, January 8, 2020 1:41 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Re: Sluder

That is weird. Thanks for letting me know. Will call you back this afternoon or tomorrow morning.

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smith.stephen@epa.gov

On Jan 8, 2020, at 11:43 AM, Strange, Joel <Strange.Joel@epa.gov> wrote:

Tried to call , got a weird message saying your VM is not set up.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, January 8, 2020 10:52 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Thanks! Attached is an updated draft. Call me when you get a chance.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel

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smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 2:44 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder

Put a couple of things in.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, January 6, 2020 2:26 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Got pulled away, but attached is an updated draft for your review (though not officially a final draft).

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Subject: RE: Sluder

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From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 9:33 AM
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Sent: Monday, January 6, 2020 8:22 AM
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Okay, great. Thanks! Was this diagram included in the proposed CA/FO that went out for public notice? And I assume the areas in purple (actual fill) that go beyond the areas of red (permitted area) make up the .25 acres?

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From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 8:08 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, January 6, 2020 7:16 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

No update other than our plan to complete the response to comment this week or next. I ended up being out more than expected over the holidays, but was able to more fully review the comments and pull together a draft of the cover letter, as well as a rough draft starting our response. Are you free to discuss at 7:30?

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From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 7:09 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Stephen,

The consultant asked for an update on the CAFO, any updates?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/8/2020 3:51:50 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments (Draft) (1-8-20).docx

Thanks! Attached is an updated draft. Call me when you get a chance.

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Put a couple of things in.

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Stephen,

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Sent: 1/6/2020 7:43:53 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments (Draft) (1-6-20).docx

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Sent: Monday, January 6, 2020 2:26 PM
To: Strange, Joel <Strange.Joel@epa.gov>
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Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/6/2020 7:26:29 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments (Draft) (1-6-20).docx

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Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 7:09 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Stephen,

The consultant asked for an update on the CAFO, any updates?

Joel Strange

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/6/2020 12:16:07 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Notice of Right to Petition (Cover Letter) (Draft) (1-2-20).docx; Sluder - Response to Public Comments (Draft) (1-2-20).docx

No update other than our plan to complete the response to comment this week or next. I ended up being out more than expected over the holidays, but was able to more fully review the comments and pull together a draft of the cover letter, as well as a rough draft starting our response. Are you free to discuss at 7:30?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, January 6, 2020 7:09 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Stephen,

The consultant asked for an update on the CAFO, any updates?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/16/2020 2:13:29 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]
CC: Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
Subject: Mortgage Lenders of America, LLC (Sluder) CAFO Package
Attachments: Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf; Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America-Routing Slip.pdf

Tanya/Pat-

Attached are the ESA documents for Mortgage Lenders of America, LLC (aka Sluder). This particular case went on Public Notice in October 2019 and received a comment. The comment and the EPA's response are attached. It is my understanding that Stephen Smith and you (Tanya) had a conversation about the public notice screen shots and that it was agreed that the current screen shots would be accepted. Please let me know if you need any additional information.

Sincerely-
Mary Jo

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/17/2020 11:46:01 AM
To: Sluder, Ron [Ron.Sluder@silvertonmortgage.com]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Stuart Sligh [s_sligh@slighec.com]
CC: Floyd, Tanya [Floyd.Tanya@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Henderson, Jessica [Henderson.Jessica@epa.gov]; Smith, Quantindra [Smith.Quantindra@epa.gov]; Shirley, Teresa [Shirley.Teresa@epa.gov]; Mattox, Mary [Mattox.Mary@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Yes, we have it.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

We have already paid the fine, you have record of payment correct?

Apply Online Now! Upload Documents

SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St,Jesup,GA,31545

SilvertonSecure* the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917658 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/17/2020 2:51:11 PM
To: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Sluder, Ron [Ron.Sluder@silvertonmortgage.com]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Sluder Payment.pdf

Here you go.

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 10:32 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

No worries,

I will get information from program staff/attorney.

Thank you again,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 9:55 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

I don't have it that was like a year ago

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RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 9:50 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Hi Mr. Sluder,

Please send me an email of receipt payment.

Thank you,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

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230 West Bay St,Jesup,GA,31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

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Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 5/5/2020 6:33:40 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything, but should we allow anything extra since we have not been around the office?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, May 5, 2020 11:54 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything from John since this last email. Any word or response on your ends?

If they wanted to still set aside the CAFO, they were required to file a petition within 30 days of receipt of the response to comments which was approximately April 27, 2020.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, April 10, 2020 3:30 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio

FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

Twitter | LinkedIn | Facebook | YouTube

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide

me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the sender and deleting this copy and the reply from your system. Thank you for your cooperation.

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Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 4/10/2020 12:35:49 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

What was the date that the letter went out? Does their 30 days start then or now since they were missing the attachments?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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Ph: (404) 562-9554
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smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

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Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 4/10/2020 11:57:42 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)
Attachments: Sluder - CAFO (SPS Edit) (8-20-19) (Updated).docx

This one.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:53 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Joel – Can you confirm the version of the final proposed CAFO and send it to me? I have the copy of the response to comments that I plan to resend to John (below), but the CAFO is missing and I want to include in my email to him. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

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Sent: Thursday, April 9, 2020 3:34 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Thanks,
JB

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 5/8/2020 4:24:10 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Nope, you are on the right track Stephen – thanks.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, May 8, 2020 8:32 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I'll reach out today by email. Don't want to drum up communication/issues per se, but makes sense to confirm in case mailed, unless Dan prefers otherwise.

_____
Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, May 8, 2020 7:34 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Would it make sense to contact the attorney and see if they sent anything since we are not in the office?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, May 5, 2020 11:54 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio

FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

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Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 5/8/2020 4:33:00 PM
To: John Brunini [John.Brunini@butlersnow.com]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John – Hope you're well. We are currently still out of the office due to Covid and have no access to our mailroom. I wanted to confirm whether you had sent anything by mail regarding this case since your original comment. Please advise and thanks so much.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

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Message

From: Young, Angela [Young.Angela@epa.gov]
Sent: 5/21/2020 12:18:27 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: FW: Cover letter
Attachments: Sluder CAFO Cover letter -- post execution.docx; Sluder CAFO Cover letter Post Execution.docx; Sluder CAFO Routing slip.doc

Hello Joel,

Please initial and complete the bottom portion of the attached routing sheet.

Thanks,

Angela

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, May 21, 2020 7:09 AM
To: Young, Angela <Young.Angela@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Cover letter

Might help if I attach it...

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 5/8/2020 12:32:20 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I'll reach out today by email. Don't want to drum up communication/issues per se, but makes sense to confirm in case mailed, unless Dan prefers otherwise.

Stephen P. Smith
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smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, May 8, 2020 7:34 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Would it make sense to contact the attorney and see if they sent anything since we are not in the office?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, May 5, 2020 11:54 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything from John since this last email. Any word or response on your ends?

If they wanted to still set aside the CAFO, they were required to file a petition within 30 days of receipt of the response to comments which was approximately April 27, 2020.

Stephen P. Smith
Associate Regional Counsel
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Atlanta, Georgia 30303
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Fax: (404) 562-9486
smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, April 10, 2020 3:30 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>

Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio

FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

Twitter | LinkedIn | Facebook | YouTube

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
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Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 5/5/2020 3:53:37 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything from John since this last email. Any word or response on your ends?

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Cc: Strange, Joel <Strange.Joel@epa.gov>
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Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
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FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

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Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

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JB

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 4/10/2020 12:51:00 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Good question. My guess is that the Response to Comment was likely included in what John received (since it was included in the copy that Wendy sent us), but the proposed CAFO was not. The date of the letter was 3/24/20, so with 30 days and over the weekend to receive the letter, we're looking at probably 4/27/20. Unless John asks for an extension, my recommendation would be to stay with the 27th.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, April 10, 2020 8:36 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

What was the date that the letter went out? Does their 30 days start then or now since they were missing the attachments?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

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Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 3/19/2020 8:10:46 PM
To: Young, Angela [Young.Angela@epa.gov]
Subject: RE: LETTERS AND MAILING OF CORRESPONDENCE

Hi Angela,

Does that mean that the Tarter tolling agreement was signed by Carol?

From: Young, Angela <Young.Angela@epa.gov>
Sent: Thursday, March 19, 2020 3:59 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Castillo, Jairo <Castillo.Jairo@epa.gov>; Ammons, Brad <Ammons.Brad@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Arzon, Arturo <Arzon.Arturo@epa.gov>; Quinones, Rebecca <quinones.rebecca@epa.gov>; Houda, Tara <Houda.Tara@epa.gov>; Kwan, Kenneth <Kwan.Ken@epa.gov>; Riley, Pamela <Riley.Pamela@epa.gov>; Schlachter, Zachary <schlachter.zachary@epa.gov>; Goodwin, John <Goodwin.John@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Robertson, Mark <Robertson.Mark@epa.gov>; Joe, Don <Joe.Don@epa.gov>; Chen, Carol <Chen.Carol@epa.gov>; Shelton, Anthony <Shelton.Anthony@epa.gov>; Driskell, Amanda <Driskell.Amanda@epa.gov>; Joyner, William <Joyner.William@epa.gov>; Phillips, David <Phillips.David@epa.gov>; Chavez, Araceli <Chavez.Araceli@epa.gov>; Dromgoole, Ahmad <Dromgoole.Ahmad@epa.gov>; Sayre, Dennis <Sayre.Dennis@epa.gov>; Jones, Laurie <JONES.LAURIE@EPA.GOV>; Elliott, Richard <Elliott.Richard@epa.gov>
Subject: LETTERS AND MAILING OF CORRESPONDENCE

Hello All,

The following was taken care of on today. I plan to come back into the office one day next week. Mary Jo, I am departing.

3/16/2020	**ECAD**	**Received Tolling Agreement from Tarter Gate Wood Product LLC**	**Joel Strange**		**R4**	**N/A**
3/19/2020	**ECAD**	**Tara Houda/CEI Report Donny Raughton Prattville, AL/**	**Dan O'Lone**		**Dan O'Lone**	**Mailed Cert. 3/19/2020 7019 0700 0000 6131 3170**
3/19/2020	**ECAD**	**Hand carried AOC Sanders Brothers**	**Dan O'Lone**		**R4**	**Placed on Wendy's Desk 3/19/20**
3/19/2020	**ECAD**	**CMS R4-20-000-3790-RA Mr. Bryan Fulton (Citizen complaint)**	**Mary Jo**		**R4**	**Placed on Wendy's Desk 3/19/20**
3/19/2020	**ECAD**	**David Phillips/AOC CWA-4-2019-4750 Closure ltr/Marel Inc.**	**Dan O'Lone**		**R4**	**Placed on Wendy's Desk 3/19/20**
3/19/2020	**ECAD**	**Joel Strange/Consent Agreement & Final Order Mortgage of America Lenders, LLC (MAL)**	**Dan O'Lone**		**R4**	**Placed on Wendy's Desk 3/19/20**

3/19/2020	ECAD	Kip Tyler/Compliance Evaluation Inspection Report/Sylacauga, AL	Dan O'Lone		Dan O'Lone	Mailed certified mail 7019 0700 0000 61313217

Thanks,

Angela Young
Secretary
ECAD, Water Enforcement
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Tel: (404) 562-9271
Email: young.angela@epa.gov

"At the end of the day people won't remember what you said or did, they will remember how you made them feel".

Maya Angelou

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 3/20/2020 11:04:10 AM
To: Young, Angela [Young.Angela@epa.gov]
Subject: RE: LETTERS AND MAILING OF CORRESPONDENCE

Nope, not needed. Thank you.

From: Young, Angela <Young.Angela@epa.gov>
Sent: Friday, March 20, 2020 7:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: LETTERS AND MAILING OF CORRESPONDENCE

Good morning Joel,

Yes, and I provided a copy to Dan. I can forward you a copy if needed.

Angela

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, March 19, 2020 4:11 PM
To: Young, Angela <Young.Angela@epa.gov>
Subject: RE: LETTERS AND MAILING OF CORRESPONDENCE

Hi Angela,

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Sent: Thursday, March 19, 2020 3:59 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Castillo, Jairo <Castillo.Jairo@epa.gov>; Ammons, Brad <Ammons.Brad@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Arzon, Arturo <Arzon.Arturo@epa.gov>; Quinones, Rebecca <quinones.rebecca@epa.gov>; Houda, Tara <Houda.Tara@epa.gov>; Kwan, Kenneth <Kwan.Ken@epa.gov>; Riley, Pamela <Riley.Pamela@epa.gov>; Schlachter, Zachary <schlachter.zachary@epa.gov>; Goodwin, John <Goodwin.John@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Robertson, Mark <Robertson.Mark@epa.gov>; Joe, Don <Joe.Don@epa.gov>; Chen, Carol <Chen.Carol@epa.gov>; Shelton, Anthony <Shelton.Anthony@epa.gov>; Driskell, Amanda <Driskell.Amanda@epa.gov>; Joyner, William <Joyner.William@epa.gov>; Phillips, David <Phillips.David@epa.gov>; Chavez, Araceli <Chavez.Araceli@epa.gov>; Dromgoole, Ahmad <Dromgoole.Ahmad@epa.gov>; Sayre, Dennis <Sayre.Dennis@epa.gov>; Jones, Laurie <JONES.LAURIE@EPA.GOV>; Elliott, Richard <Elliott.Richard@epa.gov>
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3/19/2020	ECAD	CMS R4-20-000-3790-RA Mr. Bryan Fulton (Citizen complaint)	Mary Jo		R4	Placed on Wendy's Desk 3/19/20
3/19/2020	ECAD	David Phillips/AOC CWA-4-2019-4750 Closure ltr/Marel Inc.	Dan O'Lone		R4	Placed on Wendy's Desk 3/19/20
3/19/2020	ECAD	Joel Strange/Consent Agreement & Final Order Mortgage of America Lenders, LLC (MAL)	Dan O'Lone		R4	Placed on Wendy's Desk 3/19/20
3/19/2020	ECAD	Kip Tyler/Compliance Evaluation Inspection Report/Sylacauga, AL	Dan O'Lone		Dan O'Lone	Mailed certified mail 7019 0700 0000 61313217

Thanks,

Angela Young
Secretary
ECAD, Water Enforcement
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Tel: (404) 562-9271
Email: young.angela@epa.gov

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Maya Angelou

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Sent: 4/10/2020 12:25:57 PM
To: John Brunini [John.Brunini@butlersnow.com]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)
Attachments: Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Mortgage Lenders of America - CAFO (Proposed Final) (PDF).pdf

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
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Office of Regional Counsel
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On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide

me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the sender and deleting this copy and the reply from your system. Thank you for your cooperation.

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/2/2020 2:35:02 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Below is my draft response to Tanya's latest email (in red). Let me know what you think. I've also attached my response to her original June 30th email for additional context on what we had previously discussed.

...

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. Regarding the PN, it was published back in October 2019 and is only getting to you now because of the response to comments that occurred and your June 30th email about the package requesting changes and us getting the Respondent's approval for the changes. To my understanding, the screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Based on the responses above in red, two more important questions:

1. Do we need everyone to re-sign the updated CAFO if we already have the completed signature page for the prior CAFO and got approval from the Respondent of the changes made to the CAFO?
2. Given that the CAFO was public noticed back in October and has since had comments and responses, do we now need to re-public notice the CAFO due to the issues raised? We've obviously since updated the PN model and process to address your concerns for all future CAFOs, but we did not confirm whether this PN needed to be re-published as well – the focus and discussion was admittedly more so correcting the model for future CAFOs.

Let us know what you think and thanks always for your help!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

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If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 4/10/2020 11:52:48 AM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Joel – Can you confirm the version of the final proposed CAFO and send it to me? I have the copy of the response to comments that I plan to resend to John (below), but the CAFO is missing and I want to include in my email to him. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Thursday, April 9, 2020 3:34 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

Message

From: Bias, Wendy [Bias.Wendy@epa.gov]
Sent: 3/30/2020 2:53:02 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Young, Angela [Young.Angela@epa.gov]
Subject: RE: CONSENT AGREEMENT & FINAL ORDER MAL

Larry signed off on it, I will mail it out today and scan you a copy.

Wendy Bias
Executive Staff Administrative Assistant
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency - Region 4
(404) 562-8352

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, March 30, 2020 6:09 AM
To: Young, Angela <Young.Angela@epa.gov>; Bias, Wendy <Bias.Wendy@epa.gov>
Subject: RE: CONSENT AGREEMENT & FINAL ORDER MAL

Wendy,

Just checking to see if this letter went out yet?

Thanks, Joel

From: Young, Angela <Young.Angela@epa.gov>
Sent: Thursday, March 19, 2020 3:14 PM
To: Bias, Wendy <Bias.Wendy@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: CONSENT AGREEMENT & FINAL ORDER MAL

Hello Wendy,

I'm placing this on your desk. CONSENT AGREEMENT & FINAL ORDER Mortgage of America Lenders, LLC (MAL)

Angela Young
Secretary
ECAD, Water Enforcement
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Tel: (404) 562-9271
Email: young.angela@epa.gov

"At the end of the day people won't remember what you said or did, they will remember how you made them feel".

Maya Angelou

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/16/2020 2:13:29 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]
CC: Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
Subject: Mortgage Lenders of America, LLC (Sluder) CAFO Package
Attachments: Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf; Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America-Routing Slip.pdf

Tanya/Pat-

Attached are the ESA documents for Mortgage Lenders of America, LLC (aka Sluder). This particular case went on Public Notice in October 2019 and received a comment. The comment and the EPA's response are attached. It is my understanding that Stephen Smith and you (Tanya) had a conversation about the public notice screen shots and that it was agreed that the current screen shots would be accepted. Please let me know if you need any additional information.

Sincerely-
Mary Jo

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/2/2020 6:32:50 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
CC: Bullock, Patricia [Bullock.Patricia@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-2-20).pdf

Thank, Tanya. Below are my responses to your comments (in red) based on my communication with ECAD. Let me know if you have any questions and whether we need to schedule a call. I've also attached a PDF version of the updated CAFO.

...

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages

when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
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This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

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Regarding Mary Jo's e-signature on the cover letter, ECAD's understanding per the SOP was that the cover letter was to be undated so the date can be added by the RHC. The signature was undated so, that once it was finalized, there would not be a conflict between the date on the letter and the date in the signature. Let us know if that is not correct and Mary Jo can re-sign.

Thanks for your help as always!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

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Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer

Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 3/30/2020 10:09:10 AM
To: Young, Angela [Young.Angela@epa.gov]; Bias, Wendy [Bias.Wendy@epa.gov]
Subject: RE: CONSENT AGREEMENT & FINAL ORDER MAL

Wendy,

Just checking to see if this letter went out yet?

Thanks, Joel

From: Young, Angela <Young.Angela@epa.gov>
Sent: Thursday, March 19, 2020 3:14 PM
To: Bias, Wendy <Bias.Wendy@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: CONSENT AGREEMENT & FINAL ORDER MAL

Hello Wendy,

I'm placing this on your desk. CONSENT AGREEMENT & FINAL ORDER Mortgage of America Lenders, LLC (MAL)

Angela Young
Secretary
ECAD, Water Enforcement
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Tel: (404) 562-9271
Email: young.angela@epa.gov

"At the end of the day people won't remember what you said or did, they will remember how you made them feel".

Maya Angelou

Message

From: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
Sent: 9/17/2020 5:30:55 PM
To: Strange, Joel [Strange.Joel@epa.gov]; R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]; Sluder, Ron [Ron.Sluder@silvertonmortgage.com]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Thank you Joel!

I will attached to order for finance.

Have a great day!

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, September 17, 2020 10:51 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

Here you go.

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 10:32 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

No worries,

I will get information from program staff/attorney.

Thank you again,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 9:55 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

I don't have it that was like a year ago

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 9:50 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Hi Mr. Sluder,

Please send me an email of receipt payment.

Thank you,

Ms. Bullock

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Thursday, September 17, 2020 7:30 AM
To: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: RE: CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

We have already paid the fine, you have record of payment correct?

Apply Online Now! Upload Documents

SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St,Jesup,GA,31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>
Sent: Thursday, September 17, 2020 7:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron

<Ron.Sluder@silvertonmortgage.com>
Cc: Floyd, Tanya <Floyd.Tanya@epa.gov>; R4_Regional_Hearing_Clerk <R4_Regional_Hearing_Clerk@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Henderson, Jessica <Henderson.Jessica@epa.gov>; Smith, Quantindra <Smith.Quantindra@epa.gov>; Shirley, Teresa <Shirley.Teresa@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>
Subject: [EXTERNAL] CAFO filing for: Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)

External email: careful w/ links or attachments

Good Morning All,

Attached is the signed and ratified order for Mortgage Lenders of America, LLC signed and processed September 17, 2020.

Mr. Sluder, I am requesting you email me confirming receipt of above documents for my file.

Thank you and have a wonderful day.

Patricia Bullock
Regional Hearing Clerk
404-562-9511 – Phone
R4_Regional_Hearing_Clerk@epa.gov - Email

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/8/2019 7:10:06 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Nagrani, Kavita [Nagrani.Kavita@epa.gov]
Subject: Sluder - Penalty Memo Edit
Attachments: Sluder - Penalty Memo (SPS Edit Based on Kavita Edits) (8-8-19).docx

Joel – Per our discussion, attached is the updated Sluder penalty memo reflecting Kavita's comments/edits (thanks, Kavita!). Hopefully, this represents the same memo language (excluding Kavita's edits) as the final version currently routing. Please check to confirm. Thanks.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/27/2020 7:02:35 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Making routing slip into a pdf
Attachments: Sluder CAFO Routing slip 8 27 20 (SPS Updated).pdf

Here you go.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Thursday, August 27, 2020 2:29 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Making routing slip into a pdf

Joel, we are having to do the routing slip as a pdf (see my email below).
Please sign immediately and return to me – thanks.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 27, 2020 2:17 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Making routing slip into a pdf

Sorry for the delay. See attached!

_____
Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Thursday, August 27, 2020 12:38 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Making routing slip into a pdf

We've been told that ALL routing slips need to be pdf and digitally signed in Adobe.

I've converted the Sluder routing slip and attached both the Word (so you can see when you signed or someone signed for you) and the pdf for signature now – don't worry that it will have today's date when you sign.

Please sign immediately and send back to me.
I'll get this to MJ, she's got the documents ready to send to RJO & RHC.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Blocker, Shaun L CIV USARMY CESAS (USA) [Shaun.L.Blocker@usace.army.mil]
Sent: 9/28/2020 9:59:44 PM
To: Strange, Joel [Strange.Joel@epa.gov]; Stockel, Skye H CIV USARMY CESAS (USA) [Skye.H.Stockel@usace.army.mil]
CC: Rutlin, William M CIV USARMY CESAS (USA) [William.M.Rutlin@usace.army.mil]
Subject: FW: Sluder Order
Attachments: CAFO - Mortgage Lenders of America.pdf; Cover Letter - Mortgage Lenders of America.pdf

Thanks Joel. I have added Skye to this email so that she will have this information for her records. We appreciate your help with this matter.

Shaun Blocker
Chief, Management Branch
Regulatory Division
U.S. Army Corps of Engineers, Savannah District
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3604
Phone (912) 652-5086
Fax (912) 652-5995

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey, and completing the survey on-line. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office.

Note: If the link is not active, copy and paste it into your internet browser.

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 28, 2020 2:47 PM
To: Blocker, Shaun L CIV USARMY CESAS (USA) <Shaun.L.Blocker@usace.army.mil>
Subject: [Non-DoD Source] Sluder Order

Here is the final Order for Sluder's penalty.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/8/2020 2:05:58 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: FW: Revised Order
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

This is what I sent him.

From: Strange, Joel
Sent: Thursday, September 3, 2020 2:54 PM
To: 'Sluder, Ron' <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Revised Order

Ron,

Once again, I must apologize for the delays in finalizing your order. This whole covid mess has really affected our process and we are working on methods to get the orders out and still meet the requirements under our regulations. That being said, if you would be kind enough to resign the attached order, we should be able to get this turned around quickly for you. The order is still the same as the previous one, it just has been updated with electronic signature blocks. Please sign electronically and send it back to me through email as soon as you can.

Thanks for your patience,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 9/14/2020 7:35:59 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: Sluder final CA/FO
Attachments: Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder Approval Email (8-3-20).pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Public notice screenshot2.PNG; Public notice screenshot.PNG; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Mortgage Lenders of America LLC Ron Sluder Final CAFO 9 11 20.pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20).pdf

Mary Jo, your signature on the letter needs to have a date stamp according to the RJO.
Please resign the letter and send the entire package to Tanya & Pat simultaneously.
You already signed the routing slip on 9/1/20.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, September 14, 2020 2:49 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Sluder final CA/FO

Removed the Word document for the PN, which Tanya didn't want.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 14, 2020 2:41 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder final CA/FO

This should be everything.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, September 11, 2020 8:27 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder final CA/FO

Joel, here's the version Ron signed.
I inserted signature blocks for MJ, Tanya & Pat.

Please put the entire package together and route to me and I'll get it to MJ.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 7/9/2019 6:42:47 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Request for an attorney-Sluder
Attachments: Sluder Penalty memo.docx

Here is the penalty memo. I am leaving for the day, but I will call you Tomorrow.

From: Smith, Stephen
Sent: Tuesday, July 9, 2019 8:20 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Request for an attorney-Sluder

Joel – I'll call you today. Look forward to working with you!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan
Sent: Monday, July 8, 2019 10:15 AM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Request for an attorney-Sluder

Thanks Mita!

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Ghosh, Mita
Sent: Monday, July 8, 2019 10:01 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>

Cc: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Request for an attorney-Sluder

I am assigning this case to Stephen Smith.

Mita Ghosh
Chief, Office of Water Legal Support
U.S. Environmental Protection Agency, Region 4
(404) 562-9568

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From: O'Lone, Dan
Sent: Monday, July 8, 2019 9:03 AM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Request for an attorney

Morning Mita, sorry to have missed your question so long ago.
The name of the case is Sluder; referral from USACE, straight penalty only, respondent ready to move forward b/c he can't sell the lots he developed until (i.e. no USACE permit) until the penalty is taken care of.
Joel is in the office so an attorney can call him for the details.
Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Ghosh, Mita
Sent: Wednesday, June 19, 2019 7:27 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Request for an attorney

What is the name of the case?

Mita Ghosh
Chief, Office of Water Legal Support
Office of Regional Counel
United States Environmental Protection
Region 4
404-562-9568

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received.

From: O'Lone, Dan
Sent: Wednesday, June 19, 2019 2:17 PM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: Request for an attorney

Afternoon Mita, this is a request for an attorney to work with Joel Strange on a case that will be penalty only. It was referred to us by USACE, developer did some work outside the scope of his permit, USACE is holding up his modified permit until this is resolved (penalty) with EPA – I'm probably getting some of the facts not quite accurate, but Joel has talked to the developer and he is eager to settle so we don't anticipate protracted negotiations, if there is any negotiating at all.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/13/2019 12:10:21 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder CAFO
Attachments: Sluder CAFO.doc

Here is the draft, but I still don't know haw it will be named. I emailed the consultant this morning. I do have a question on paragraph 49. I guess this is model language, but it seems to go against our third party policy.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/15/2020 9:50:35 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Public notice screenshot.PNG; Public notice screenshot2.PNG; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Sluder public notice.docx; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Hey, Tanya! Sorry for the delay. I've been able to speak with the Program and hopefully address most of your questions below (responses in red). I'll give you a call tomorrow if you don't mind to discuss further.

…

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

See attached for two screenshots of the website PN, as well as a PDF copy of the proposed CAFO which was attached with the PN. Also, attached is the PN Word document provided to Sherry Maddox for publishing the PN on 10/11/19. As a reminder, this PN occurred in October which may possibly be the cause of some of these concerns/issues.

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

After reviewing, the PN itself does not provide the address of the Respondent, but does provide the location of where the violations occurred and a description of the violation. If the required information needs to be in the body of the PN, rather than the proposed CAFO itself, I'm happy to work with the Program make the needed updates to the PN model and provide to you for review. FYI, after talking with Dan and Joel, it does seem that this PN followed the same model and PN process that other CWA 402 and 404 settlements have followed in the past according to them, so does that mean that the other settlements, in the recent past, have had the same issues? Let's discuss because no doubt the goal is to make sure it's right, especially as the end of the fiscal year comes up.

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

See response above and the attached.

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

See response above. We can definitely work on this. Let's discuss.

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

See attached for a copy of the comment received, our response to the comment on 3/24/20, and an email from counsel for the commenters stating that they no longer plan to contest the CAFO. We will make sure to include these in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

We will update the CAFO and related documents to be up-to-date for the new electronic requirements. We will also contact the Respondent and have them agree to the updates (and include their response in the revised routing package).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Sounds great.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

Joel/Dan – Can you guys address/answer this?

Thanks, Tanya!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 8/12/2020 2:01:30 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Routing slip 8 11 20.doc; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20) mjb.pdf

Attached is the signed cover letter.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 12:09 PM
To: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Sluder Routing

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/14/2020 6:48:39 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Sluder final CA/FO
Attachments: Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder Approval Email (8-3-20).pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Public notice screenshot2.PNG; Public notice screenshot.PNG; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Mortgage Lenders of America LLC Ron Sluder Final CAFO 9 11 20.pdf

Removed the Word document for the PN, which Tanya didn't want.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 14, 2020 2:41 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder final CA/FO

This should be everything.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, September 11, 2020 8:27 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder final CA/FO

Joel, here's the version Ron signed.
I inserted signature blocks for MJ, Tanya & Pat.

Please put the entire package together and route to me and I'll get it to MJ.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 10/16/2019 3:04:00 PM
To: Guzman, Humberto [Guzman.Humberto@epa.gov]
Subject: RE: Can I call you?
Attachments: 1.8.19 MFR Site Inspection Captains Cove SAS-2014-00615.pdf; 7.6.18 SAS-2014-00615 Sluder Captains Cove Vol Comp Letter.pdf; Captains Cove Timeline.docx; 3.7.17 SAS-2014-00615 Sluter Captain Cove NWP 14 and 18.pdf

From: Guzman, Humberto <Guzman.Humberto@epa.gov>
Sent: Wednesday, October 16, 2019 10:36 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Can I call you?

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 6/30/2020 3:30:44 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: ATTACHMENT A.pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Sluder Accounts Receivable Form.doc; Sluder CAFO Cover letter Post Execution mjb.docx; Sluder CAFO Routing slip.doc; Sluder Exhibit A.pdf; Sluder Exhibit B.pdf; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 9/11/2020 12:26:50 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Sluder final CA/FO
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO 9 11 20.pdf

Joel, here's the version Ron signed.
I inserted signature blocks for MJ, Tanya & Pat.

Please put the entire package together and route to me and I'll get it to MJ.

Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/11/2020 3:53:41 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Do you have a routing slip for Sluder? (eom)
Attachments: Sluder CAFO Routing slip.doc

Yes I can send it to them. Here is the Routing Slip that MJ signed before Tanya sent it back. Do we need a different one?

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 11:53 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Do you have a routing slip for Sluder? (eom)

I forgot to ask you about the cc to the ACOE.
Can you do that electronically?
I pulled page 2 w/ the address off the pdf of the cover letter b/c I didn't think it was needed.
You will need to save the version MJ signs on the T drive.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 11, 2020 10:55 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Do you have a routing slip for Sluder? (eom)

Not anything set for digital signatures.

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, August 11, 2020 10:54 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Do you have a routing slip for Sluder? (eom)

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/17/2020 7:09:53 PM
To: Strange, Joel [Strange.Joel@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]
CC: Doan, Quint [Doan.Quint@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx

I spoke to Tanya and have some clarity. We will *not* need to re-publish the PN, though there will likely need to be some updates to the model PN process. I've spoken to Dan about some of this and we can discuss more later if needed. For now, see below.

Joel – I've updated is the attached CAFO reflecting the new electronic requirements due to teleworking during the pandemic (it's also in the T-drive under "Revised Routing"). Can you please review and make sure you're okay with the changes – also, update it with Sluder's email address in the areas highlighted in yellow. Then, can you email Sluder a copy of the updated CAFO letting him know of the new changes and asking him to accept by replying stating so. We'll then include his email in the revised routing package to Tanya.

Once that's done, we'll need Mary Jo to re-sign the CAFO electronically.

It looks like we'll also need to redo the CAFO cover letter, but let's go ahead and reach out to Sluder now and we can figure out the cover letter later.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, July 15, 2020 11:15 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Doan, Quint <Doan.Quint@epa.gov>
Subject: RE: Sluder

Here is one that was done in 2017.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, July 15, 2020 11:11 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Doan, Quint <Doan.Quint@epa.gov>
Subject: RE: Sluder

Dan/Joel - Just saw this sentence in Tanya's email:

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Do you know if this was case? Do you remember any changes to the model around that time or prior? Just confirming.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, July 15, 2020 10:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/11/2020 4:08:52 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder public notice.docx; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20).pdf; Sluder CAFO Routing slip 8 11 20.doc

Mary Jo, the cover letter has been converted to a pdf for your signature.
The RJO indicated you only had to sign the cover letter to replace the previous cover letter that did not contain a compliant digital signature.

We were using a Word doc for routing so I attached in and added new dates for this most recent routing.

Let me know if you have any questions.
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 8/13/2020 2:47:31 PM
To: Armor, Suzanne [Armor.Suzanne@epa.gov]
Subject: RE: O'Bryan
Attachments: Sluder CAFO Routing slip.doc

This is the last one I did.

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Thursday, August 13, 2020 10:44 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: O'Bryan

Can you send me your latest in Word? I will convert to PDF.

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 13, 2020 10:43 AM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>
Subject: RE: O'Bryan

I don't have anything set for e-routing. I have just used the regular word document.

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Thursday, August 13, 2020 10:42 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: O'Bryan

I'm putting the e-routing package together this morning.

Joel – do you have a recent Class I e-routing slip I can riff off of?

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Thursday, August 13, 2020 10:33 AM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: O'Bryan

Any update? We are doing Pipeline and MJ asked me our next steps.
Thanks,
Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****

"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Monday, August 10, 2020 1:02 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: O'Bryan

Per Tanya's email response to my questions, I think we only need to get Mr. O'Bryan to concur to the revisions via email, not to re-sign the CAFO.

I will send a follow-up email to him clarifying. That ***should*** speed things up.

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 10, 2020 9:35 AM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: O'Bryan

With some of our changes on other cases, the Respondent just had to agree to the changes without a new signature? A new signature does not change anything (Public notice requirements, etc.) does it?

From: Armor, Suzanne <Armor.Suzanne@epa.gov>
Sent: Monday, August 10, 2020 9:31 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: O'Bryan

Absolutely.

I emailed Mr. O'Bryan a revised version of the CAFO on Thursday that incorporates several edits that are needed to get this finalized by the RJO: e-service/e-signature; changes to the Effective Date paragraph to be consistent with 40 C.F.R. 22.45(c)(4)(viii), and edits to the citations to the previous WOTUS regulatory definitions.

Once we get Mr. O'Bryan's okay and e-signature on the revised CAFO, we can start routing the CAFO for Mary Jo's and Tanya's e-signatures. I suggest that we include in the e-routing package the CAFO, along with the entire Petition Denial Order that Robin Allen sent (Tabs 1-5). That includes the entire record for this matter, which I assume Tanya will want to see. We should highlight, in particular, the public notice documents, which are at Bates Pages 000047-50 of Tab 4B. I know she will be interested in that.

Once this gets finalized by Tanya and filed with the Regional Hearing Clerk, the RHC will serve EPA, Mr. O'Bryan, and the Petitioner, CAPPAD, Inc., with the CAFO.

CAPPAD then has 30 days to file an appeal of the CAFO in the U.S. District Court for the Western District of Kentucky. If they do not file a timely appeal, the CAFO is finalized. Mr. O'Bryan can then commence the SEP and has to pay his civil penalty within 30 days of that Effective Date.

If they do file a timely appeal, then we are defending this in District Court and we'll have a whole new set of rules to play by. We can cross that bridge if/when we get there.

There is nothing for you to do right now, as I'm awaiting Mr. O'Bryan's feedback on the proposed revisions.

Let me know if you have any questions.

Thanks,
Suzanne

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, August 7, 2020 8:09 AM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: O'Bryan

Suzanne,

For the benefit of others (and probably me), could you do a quick explanation of the process still left for O'Bryan?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 7/24/2020 5:24:50 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Sluder public notice.docx; Sluder-Public-Notice-Template-newDec2016.docx

No problem. Happy to talk. Maybe 1:45? And what I mean by PDF is essentially the attached PN with all required info copied into a PDF and then attached with the CAFO in the published PN on the website. Does that make sense?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Friday, July 24, 2020 12:41 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

My head is starting to hurt over PNs and we have several in the works now.
Stephen, Joel offline until about 2:30 at which point I'd like to have been offline for an hour or so.
Can you and I have a call before 2?

I'm not clear on putting together the content of the pdf to send to Tanya.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, July 24, 2020 8:07 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Instead of simply sending the form/Word doc to Sherry for her to copy and paste onto the website, you would include an actual PDF copy of the Word doc of the PN with the copy of the proposed CAFO as an attachment to the PN.

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, July 24, 2020 7:59 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

What do you mean by a PDF copy? What does that include?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, July 24, 2020 7:52 AM
To: Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Good morning, guys. Thoughts? A PDF copy of each PN may resolve some of this confusion in the future.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, July 23, 2020 10:24 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Mattox, Mary <Mattox.Mary@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen,

As a follow-up to the email below and our subsequent email and phone conversations, I have a question: prior CWA CAFO public notices included a summary of the matter, a public notice attachment to that summary which included information about the 40 C.F.R. 22.45 process, a contact name and contact information for a Program person for more information, and a copy of the CAFO. It appears from the documents sent for this CAFO that a public notice attachment with information about 22.45 and an ECAD contact for more information is no longer part of the CWA public notice. Is that correct or was a separate document attached to the public notice with more information about the 22.45 process?

Since previous R4 CWA CAFO public notices are deleted from EPA's website, I could not find a previous R4 CWA CAFO public notice example to send you (to show differences from the public notice sent for this matter compared to prior CWA public notices). Instead, I found examples of CWA public notices from R7 with similar information as included in prior R4 CWA public notices about 22.45 and an ECAD contact name. Please see: https://www.epa.gov/ks/region-7-table-clean-water-act-public-notices

Examples of same or similar language previously included in R4 public notices as in the R7 public notices includes:

"In accordance with Section 309(g)(4)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), the Environmental Protection Agency ("EPA") is providing notice of a proposed Administrative Penalty Assessment against In accordance with Section 309(g)(4)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), the Environmental Protection Agency ("EPA") is providing notice of a proposed Administrative Penalty Assessment against …."

"Final approval of the proposed Consent Agreement/Final Order is subject to the requirements of 40 C.F.R. § 22.45."

"The procedures by which the public may submit written comments on a proposed [Class I] [Class II] order or participate in a [Class I] [Class II] proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. Persons wishing to obtain additional information on the proceeding, receive a copy of the EPA's Consolidated Rules, review the proposed Consent Agreement/Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact …."

"For technical questions contact …, Enforcement and Compliance Assurance Division, at [phone #] or [email]."

"In order to provide opportunity for public comment, the EPA will issue no final order assessing a penalty in this proceeding prior to forty (40) days from the date of this notice."

Was the above language or similar language included in the public notice for this matter? Were all attachments to the CAFO (such as any maps and diagrams, violations forms, payment instructions) included in the public notice for this matter. If a CAFO or ESA is included as part of the public notice, please include all attachments to that document in the public notice (any exhibits or attachments listed in the CAFO or ESA unless CBI) and send copies of such in CWA CAFO or ESA routing packages (please include in CWA CAFO or ESA routing packages all documents included on EPA's website, including any attachments part of the notice such as an attached public notice beyond the summary and CAFO or ESA with attachments).

Some of the RJOs mentioned that CWA public notices in their Regions are mentioning during COVID that public comments or requests for a copy of the Consolidated Rules or request to participate in the proceeding are to be sent to the RHC's email address and if people do not have capability to do so, to contact the RHC by phone (and include the RHC's phone #). As fyi, Pat is teleworking and not going into the office during Phase 1. Neither am I. Here's an example from R10: "Because of COVID-19 response, access to the Region 10 EPA building is limited. Therefore, we request that all written comments be sent via email to the Regional Hearing Clerk [], within 30 days of the date of this notice. Be sure to include your name and address if you would like a response. Comments should reference docket number **[]**. If you are unable to submit written comments via email, please call []."

I am happy to review a model public notice for Part 22 compliance. However, I cannot review or discuss any documents with case specific facts prior to such documents being ripe for my review (i.e. being signed by all the parties and public notice being complete). Otherwise, my recusal may be necessitated if case specific facts or documents are shared with me prior to a matter being ripe for review.

Please give me a call on my cell at 404-934-4883 if you would like to discuss.

Thank you,

Tanya

From: Floyd, Tanya
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/21/2020 2:00:17 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Scheidler
Attachments: Cover Letter - Mortgage Lenders of America.pdf

So the cover letters need to be updated to reflect electronic mail delivery and the cc's to the Corps need to be removed (you can forward the finals by email once they're signed).

Here's the final Sluder cover letter as an example.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, September 21, 2020 7:34 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Scheidler

Stephen,

Here are the documents (make sure I have the right orders) for Scheidler. Make sure these look okay and I'll get them ready to go.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Floyd, Tanya [Floyd.Tanya@epa.gov]
Sent: 9/16/2020 8:56:01 PM
To: R4_Regional_Hearing_Clerk [R4_Regional_Hearing_Clerk@epa.gov]
CC: Bullock, Patricia [Bullock.Patricia@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: CAFO for filing in the matter of Mortgage Lenders of America, LLC; Docket No. CWA 04-2019-9970(b)
Attachments: Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America CAFO-9-16-20.pdf; Mortgage Lenders of America- Routing Slip-9-16-20.pdf

Hi, Pat,

Please file and serve the ratified CAFO attached in the above referenced matter. Also attached are the transmittal letter, routing sheet, and documents to be included in the file for this matter.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Wednesday, September 16, 2020 10:13 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>
Cc: Young, Angela <Young.Angela@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: Mortgage Lenders of America, LLC (Sluder) CAFO Package

Tanya/Pat-

Attached are the ESA documents for Mortgage Lenders of America, LLC (aka Sluder). This particular case went on Public Notice in October 2019 and received a comment. The comment and the EPA's response are attached. It is my understanding that Stephen Smith and you (Tanya) had a conversation about the public notice screen shots and that it was agreed that the current screen shots would be accepted. Please let me know if you need any additional information.

Sincerely-
Mary Jo

Message

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/1/2020 11:54:05 PM
To: Bullock, Patricia [Bullock.Patricia@epa.gov]; Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/28/2020 6:46:33 PM
To: 'Blocker, Shaun L CIV USARMY CESAS (US)' [Shaun.L.Blocker@usace.army.mil]
Subject: Sluder Order
Attachments: CAFO - Mortgage Lenders of America.pdf; Cover Letter - Mortgage Lenders of America.pdf

Here is the final Order for Sluder's penalty.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/27/2020 7:27:05 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder Routing slip in pdf format
Attachments: Sluder CAFO Routing slip 8 27 20.pdf

Mary Jo, I converted the Word document and everyone signed off.
I'm attaching it here for you to include as part of the Sluder package to the RJO & RHC.

Let me know if I can help.

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Message

From: Stuart Sligh [s_sligh@slighec.com]
Sent: 8/14/2019 8:40:33 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: FW: [EXTERNAL] FW: Captains Cove

Joel: Please make documents to Mortgage of America Lenders, LLC, and Attn: Mr. Ron Sluder.
Thanks,
Stuart

From: Ron Sluder <ronsluder@silvertonmortgage.com>
Sent: Wednesday, August 14, 2019 2:52 PM
To: Stuart Sligh <s_sligh@slighec.com>
Subject: Re: [EXTERNAL] FW: Captains Cove

Mortgage of America Lenders LLC

Sent from my iPhone

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SILVERTON MORTGAGE

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609
ronsluder@silvertonmortgage.com
230 West Bay St,Jesup,GA,31545

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NMLS 1561; GRMA 6911 Equal Housing Opportunity. MLO NMLS 917858, GRMA 35027

On Aug 14, 2019, at 2:39 PM, Stuart Sligh <s_sligh@slighec.com> wrote:

External email: careful w/ links or attachments

See below from EPA. How do you want documents addressed? You or the Corporation?
Stuart

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 7:42 AM
To: Stuart Sligh <s_sligh@slighec.com>
Subject: Captains Cove

Stuart,

Sorry about the delay, but I should be able to talk to you about this very soon. Could you find out how Sluder wants any documents to be addressed? Will it be him personally or an LLC, etc?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/3/2020 2:33:13 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

Dan/Joel – Please use the attached PDF of the CAFO for getting Sluder's signature. I've updated it with page numbers 9 and 10 per Tanya's email. Will be so happy when this damn case is final…ha.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, September 3, 2020 9:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

The parties, both the Respondent and ECAD,
will need to resign the revised Consent Agreement. The initial CA signature page does not match/look exactly like the revised CA signature page (please see how the signature page on the prior document does not match/look exactly like the signature page on the new document).

I was unaware that was the situation when you asked if the Respondent would need to resign. Most of the programs in ECAD have separate signature pages for each party which are separate from the body of the CA. You did not mention that the prior CA signature page differed from the revised CA signature page when asking the question if the parties needed to resign the CA.

Whenever the original signature page signed by a Respondent changes due to different page numbering, different paragraph numbering within the body of the CA, etc., and the prior CA signature page does not exactly match the signature page in the revised CA (or ESA), the Respondent will need to resign if the Respondent had signed in wet ink and submitted a pdf signature page. The signature page on the prior CA must match exactly to the signature page on the revised CA, including the page numbers, for a Respondent not to have to resign (if the Respondent signed in wet ink and submitted a pdf signature and approved the changes after signature in writing).

Any changes to the CA after a Respondent signed electronically will require the Respondent (and EPA, if it also had electronically signed a prior version) to resign the revised CA since the electronic document will no longer be the "original" document.

What many programs did in ECAD was change CAFO models to have separate signature pages for each party (one signature page for Respondent, one signature page for EPA) on separate pages from the body of CA thereby reducing when a Respondent would need to resign if changes are needed to the document after signing (in wet ink).

Page numbering also needs to be included on the Final Order and the Certificate of Service in the revised CAFO (ex. the Final Order would be number p. 9 and the Certificate of Service would be p. 10).

I previously asked if a PN attachment, such as that included in the 2nd routing, was placed as an attachment to the public notice on EPA's website for the matter and you informed me it was not. Therefore, the Word PN included in the 2nd routing package did create significant confusion. Only the true and accurate documents attached to the PN should be included in the routing package.

Any future CWA CAFO or ESA routing packages MUST include a complete screenshot(s) of the entirety of the public notice (from the top of the page with the date to the bottom of the page, no partial PN screenshot) and true and accurate copies of all attachments to the PN (such as a copy of the proposed CAFO, any exhibits, Violations Forms, etc.). Please see both the RJO Checklist and the SOP during unscheduled telework discussing this requirement.

The screenshots provided in this matter are not the entirety of the public notice. I will not accept any similar screenshots for future matters – **any future CWA CAFOs or ESAs routed to me MUST contain screenshots showing the entirety of the public notice on EPA's website and also true and accurate copies of all attachments thereto, such as the proposed CAFO or ESA, exhibits, Violations Forms, etc.** I need to see the entirety of what is placed on EPA's website regarding the public notice to determine compliance with 40 C.F.R. § 22.45. This is not a new requirement so screenshots of the entirety of the PN should have been captured for this matter and attachments thereto included in the initial routing package. Since a comment was received on the proposed CAFO, I am certain a public notice was provided in this matter.

To provide clarity on dating of the cover letter transmitting a ratified CAFO or ESA – it is the top of the page under the EPA address that is not to be dated by ECAD because the RHC will include the date of filing on the cover letter at the top of the letter. Electronic signatures by EPA officials should show the date and time of signature– see the Adobe electronic signing instructions included in Leif's email dated June 29, 2020.

Please contact Pat with any questions or to see copies of cover letters submitted by other ECAD programs leaving the date off the top of the letter and the electronic signature including the time and date of the ECAD signatory.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 2:33 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Thank, Tanya. Below are my responses to your comments (in red) based on my communication with ECAD. Let me know if you have any questions and whether we need to schedule a call. I've also attached a PDF version of the updated CAFO.

...

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the

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requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed

– essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, ECAD's understanding per the SOP was that the cover letter was to be undated so the date can be added by the RHC. The signature was undated so, that once it was finalized, there would not be a conflict between the date on the letter and the date in the signature. Let us know if that is not correct and Mary Jo can re-sign.

Thanks for your help as always!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO,

exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/20/2019 6:34:15 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder CAFO
Attachments: Sluder - CAFO (SPS Edit) (8-20-19) (Updated).docx

Joel – Attached is my initial review of the draft CAFO. Let's discuss tomorrow morning if you're free. Talk soon!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 15, 2019 3:44 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

Since you were out, I went ahead and talked to Sluder's consultant. I told him $20,000 and Sluder agreed. I am drafting the rest of the documents for routing now.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 12:03 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Sounds good. Talk then.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, August 15, 2019 11:59 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

No problem

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, August 15, 2019 11:57 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

FYI, have been pulled away by other cases and am now out of the office this afternoon and tomorrow, so plan to review the CAFO on Monday if okay. Talk soon.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 13, 2019 9:18 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Great. Thanks.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 9:18 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder CAFO

It was one that I just finished.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, August 13, 2019 9:17 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder CAFO

Okay, great. Will look at. Did you pull this CAFO from a prior draft or is it from the new CAFO models?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 13, 2019 8:10 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder CAFO

Here is the draft, but I still don't know haw it will be named. I emailed the consultant this morning. I do have a question on paragraph 49. I guess this is model language, but it seems to go against our third party policy.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/27/2019 5:22:37 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - CAFO (SPS Edit) (8-27-19).docx

See attached. I made changes to be consistent with the 404 model CAFO that you previously sent me. Please review and make sure I didn't miss anything, including typos, formatting, etc. Once you're okay with it, feel free to start routing!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 27, 2019 6:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Have been talking to Natalie and others about it. Hoping to confirm everything ASAP.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 26, 2019 3:23 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Any progress?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 9/9/2020 2:06:31 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: RE: Revised Order
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-9-20).pdf

Attached is an updated PDF with the Respondent's and EPA's signature pages on separate pages. Let's just have him wet sign, email PDF back to us, and then him mail the original hard copy to us.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Wednesday, September 9, 2020 9:25 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

I cant esign this need resend some other way. Can I hand sign?

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 11:30 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

Any luck by chance? I tried the document on my end—saved it to my computer and opened it in Adobe—and then it worked.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 10:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

It did but didn't look like it normally does and when I clicked to esign it wouldn't allow me to go any farther.

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RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, September 8, 2020 10:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

Ron, just to clarify, the document I sent you **did** have the signature fields?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 10:00 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

Sorry for the confusion, Ron. I thought that I was responding to EPA-only (Joel and Dan). Even with standard Adobe, it should recognize the signature fields that I believe were added to the document that Joel sent you.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 9:57 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

I don't have Pro will see if I can download it

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 9:55 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

I have Adobe, but I don't have Adobe Pro, I believe. According to Dan, a few people have access to it and it allows you to add signature fields.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, September 8, 2020 9:53 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Revised Order

Do you have Adobe on your computer?

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 9:24 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Revised Order

Joel , For some reason it want let me esign can you resend in a different format. Tks

Apply Online Now! Upload Documents

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St,Jesup,GA,31545

SilvertonSecure® the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, September 3, 2020 2:54 PM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: [EXTERNAL] Revised Order

External email: careful w/ links or attachments

Ron,

Once again, I must apologize for the delays in finalizing your order. This whole covid mess has really affected our process and we are working on methods to get the orders out and still meet the requirements under our regulations. That being said, if you would be kind enough to resign the attached order, we should be able to get this turned around quickly for you. The order is still the same as the previous one, it just has been updated with electronic signature blocks. Please sign electronically and send it back to me through email as soon as you can.

Thanks for your patience,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Strange, Joel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=05B678AC60A04FACBF6A367D9C31277C-STRANGE, JOEL]
Sent: 9/9/2020 2:10:04 PM
To: 'Sluder, Ron' [Ron.Sluder@silvertonmortgage.com]
Subject: FW: Revised Order
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-9-20).pdf

See instructions below. Use the attached order.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 9, 2020 10:07 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

Attached is an updated PDF with the Respondent's and EPA's signature pages on separate pages. Let's just have him wet sign, email PDF back to us, and then him mail the original hard copy to us.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Wednesday, September 9, 2020 9:25 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

I cant esign this need resend some other way. Can I hand sign?

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 11:30 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

Any luck by chance? I tried the document on my end—saved it to my computer and opened it in Adobe—and then it worked.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 10:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

It did but didn't look like it normally does and when I clicked to esign it wouldn't allow me to go any farther.

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, September 8, 2020 10:01 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

Ron, just to clarify, the document I sent you **did** have the signature fields?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 10:00 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

Sorry for the confusion, Ron. I thought that I was responding to EPA-only (Joel and Dan). Even with standard Adobe, it should recognize the signature fields that I believe were added to the document that Joel sent you.

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 9:57 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: Revised Order

I don't have Pro will see if I can download it

Apply Online Now! Upload Documents

RonSluder | Mortgage Loan Originator
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, September 8, 2020 9:55 AM
To: Strange, Joel <Strange.Joel@epa.gov>; Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>
Subject: [EXTERNAL] RE: Revised Order

External email: careful w/ links or attachments

I have Adobe, but I don't have Adobe Pro, I believe. According to Dan, a few people have access to it and it allows you to add signature fields.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, September 8, 2020 9:53 AM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Revised Order

Do you have Adobe on your computer?

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Tuesday, September 8, 2020 9:24 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Revised Order

Joel , For some reason it want let me esign can you resend in a different format. Tks

Apply Online Now! Upload Documents

Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St,Jesup,GA,31545

SilvertonSecure* the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, September 3, 2020 2:54 PM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Cc: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Subject: [EXTERNAL] Revised Order

External email: careful w/ links or attachments

Ron,

Once again, I must apologize for the delays in finalizing your order. This whole covid mess has really affected our process and we are working on methods to get the orders out and still meet the requirements under our regulations. That being said, if you would be kind enough to resign the attached order, we should be able to get this turned around quickly for you. The order is still the same as the previous one, it just has been updated with electronic signature blocks. Please sign electronically and send it back to me through email as soon as you can.

Thanks for your patience,

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 8/28/2019 12:16:17 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - JD Memo (SPS Edit) (8-28-19).docx

Attached is my edit.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 28, 2019 6:52 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder

Yeah, I made changes since that early version. Forgot to send it to you.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, August 28, 2019 6:47 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

The version of the JD that I'm looking at lists Burton Heatwole and Sunshine Place Farms as the site. Do you have an updated version by chance or can you send one?

Stephen P. Smith
Associate Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
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Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 28, 2019 6:24 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder

It does.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, August 28, 2019 6:24 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Will finish today. Does the JD route with the CAFO? Forgive my ignorance, this is my first 404 case.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, August 27, 2019 2:36 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder

Have you had a chance to go through the JD?

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, August 27, 2019 1:23 PM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

See attached. I made changes to be consistent with the 404 model CAFO that you previously sent me. Please review and make sure I didn't miss anything, including typos, formatting, etc. Once you're okay with it, feel free to start routing!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Tuesday, August 27, 2019 6:03 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

Have been talking to Natalie and others about it. Hoping to confirm everything ASAP.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 26, 2019 3:23 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

Any progress?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Parker, Christopher [Parker.Christopher@epa.gov]
Sent: 10/9/2019 11:22:15 AM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Mortgage Lenders of America LLC Ron Sluder CWA-04-2019-9970(b) Initial CAFO Respondent Signed.pdf

I think that is right, send to Von. This has also been saved in the reading file.

Chris

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, October 9, 2019 7:10 AM
To: Parker, Christopher <Parker.Christopher@epa.gov>
Subject: RE: Sluder

Would you mind scanning in the signed order so I can get the public notice stuff together? Are we still sending it to Yvonne or has that changed?

From: Parker, Christopher <Parker.Christopher@epa.gov>
Sent: Wednesday, October 9, 2019 7:08 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder

You just need to bring your happy-self down to the office. Sluder signed on Sept 30, we received on Oct 8.

You also had a folder for Helton. Final AOC dated Oct 7.

Chris

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, October 9, 2019 6:53 AM
To: Parker, Christopher <Parker.Christopher@epa.gov>
Subject: Sluder

No Sluder mail yet?

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Young, Angela [Young.Angela@epa.gov]
Sent: 3/19/2020 7:13:30 PM
To: Bias, Wendy [Bias.Wendy@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: CONSENT AGREEMENT & FINAL ORDER MAL
Attachments: Sluder - Notice of Right to Petition (Cover Letter) (Final Draft) (1-21-20).docx

Hello Wendy,

I'm placing this on your desk. CONSENT AGREEMENT & FINAL ORDER Mortgage of America Lenders, LLC (MAL)

Angela Young
Secretary
ECAD, Water Enforcement
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303
Tel: (404) 562-9271
Email: young.angela@epa.gov

"At the end of the day people won't remember what you said or did, they will remember how you made them feel".

Maya Angelou

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 3/2/2020 3:51:42 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder
Attachments: Sluder - Response to Public Comments (Draft Option 3) (3-2-20).docx

Got Mita's input, so attached is the updated option. Please review. Give me a call when you do.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 2/12/2020 5:34:26 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder
Attachments: Sluder - Response to Public Comments Strange (SPS Edit) (2-12-20).docx

Made few edits/changes. Though the wetlands description you added is helpful, I think we really need to get into what and how the violations we're specifically pursuing in this CA/FO "disturbed" or affected resources at or around the Site. Can you add additional context or information for this?

Stephen P. Smith
Associate Regional Counsel
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U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, February 12, 2020 12:07 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder

See what you think about this. I do think that they may come back with the whole 1.5 acre wetland is a violation. We may still want to consider some discussion about dredging.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 2/10/2020 5:03:26 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Hicks, Matt [Hicks.Matthew@epa.gov]
Subject: Sluder - Updated Response to Comments
Attachments: Sluder - Response to Public Comments (Updated Draft) (2-10-20).docx

Joel – See attached. Let me know when you're able to update it with the additional information discussed. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/23/2020 8:03:36 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Kwan, Kenneth [Kwan.Ken@epa.gov]
Subject: Sluder and Sanders Brothers

Dan - I know you're still currently out, but wanted to let you know that I have two routing packages for you - our response to comments for the Sluder 404 case (Mortgage Lenders of America LLC) and the proposed AOC for Sanders Brothers. Joel and I completed the final draft of the Sluder response to comments and welcome your review/comment. Also, I made changes to the Sanders Brothers AOC that Ken began routing before heading out for his vacation and also welcome your review/comments. They are sitting on my chair in my office (I'm teleworking tomorrow) if you're able to go by and pick up.

Once you've reviewed and signed off, I'll have them reviewed by ORC management/senior attorneys. Let me know if you have any questions. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/23/2020 2:06:23 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Sluder - Response to Comments
Attachments: Sluder - Notice of Right to Petition (Cover Letter) (Final Draft) (1-21-20).docx; Sluder - Response to Public Comments (Final Draft) (1-21-20).docx

Thanks. Attached are the final drafts for response to comments.

Stephen P. Smith
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U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Thursday, January 23, 2020 8:45 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

Mr. Ron Sluder
Mortgage Lenders of America, LLC
230 West Bay St
Jesup, Georgia 31545

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Thursday, January 23, 2020 8:41 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: Sluder - Response to Comments

Do you have the mailing address for Mortgage Lenders of America?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Tuesday, January 21, 2020 11:37 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Sluder - Response to Comments

I don't see any issues with it.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Tuesday, January 21, 2020 10:47 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: Sluder - Response to Comments

Joel – Was able to talk to Suzanne last week. See the attached update, particularly the last paragraph. Suzanne's recommendation was to address the .25 v. 1.5 acre issue and I agree. Let me know what you think. Also check the updated Corps language in the second paragraph of page two. I made a few minor adjustments to it after re-looking at the EPA/Corps memo.

Stephen P. Smith
Associate Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [Smith.Stephen@epa.gov]
Sent: 1/21/2020 3:46:32 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: Sluder - Response to Comments
Attachments: Sluder - Response to Public Comments (Draft) (1-17-20).docx

Joel – Was able to talk to Suzanne last week. See the attached update, particularly the last paragraph. Suzanne's recommendation was to address the .25 v. 1.5 acre issue and I agree. Let me know what you think. Also check the updated Corps language in the second paragraph of page two. I made a few minor adjustments to it after re-looking at the EPA/Corps memo.

Stephen P. Smith
Associate Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 8/5/2020 2:11:26 PM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]
Subject: FW: Sluder Routing
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (SPS Update) (8-4-20).docx; Sluder public notice.docx

Mary Jo, this is the case that was PN'd in 2019, Tanya initially rejected the PN, but Stephen talked to her and she agreed to move forward on this one provided we make corrections to our PNs in the future.
This was the impetus for all the PN emails and conversations culminating yesterday in further changes that I will attempt to "update" our current PNs with to ensure compliance with Part 22.

Additionally, we needed the respondent to agree to electronic notification (cert of service) so the CA/FO was tweaked.

You need to sign the cover letter and resign the CA/FO and this will be sent out and COMPLETED!

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Wednesday, August 5, 2020 8:33 AM
To: O'Lone, Dan <Olone.Dan@epa.gov>
Cc: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: Sluder Routing

This should be all that is needed to finalize Sluder. Mary Jo will need to sign the cover letter and resign the CAFO.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

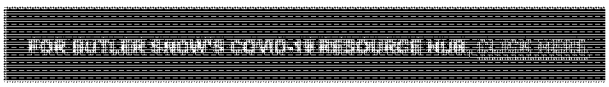
From: John Brunini [John.Brunini@butlersnow.com]
Sent: 4/10/2020 7:29:51 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio



Twitter | LinkedIn | Facebook | YouTube

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

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Message

From: Hicks, Matt [Hicks.Matthew@epa.gov]
Sent: 2/26/2020 4:52:06 AM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: RE: Sluder - Response to Comments
Attachments: Sluder - Response to Public Comments (Draft Option 2) (2-20-20)(mlh).docx

Stephen,

I prefer Option 2 but had the following comments and suggested edits. Some of the edits are more stylistic so you can take them or leave them but others are more substantive. I'm fine with Joel's addition at the end describing the resource impacted, which I think you said may have been borrowed from another site, as long as he feels it accurately describes the resource impacted by Sluder.

Thanks,

Matt

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, February 24, 2020 1:11 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>
Subject: Sluder - Response to Comments

Sorry we missed each other last week. Attached are two draft options for the response to comments. Are you free by chance to discuss?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: O'Lone, Dan [Olone.Dan@epa.gov]
Sent: 1/23/2020 8:42:32 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: Re: Sluder and Sanders Brothers

Thanks Stephen. I'll take a look at them.

Sent from my iPhone

On Jan 23, 2020, at 2:03 PM, Smith, Stephen <Smith.Stephen@epa.gov> wrote:

Dan - I know you're still currently out, but wanted to let you know that I have two routing packages for you - our response to comments for the Sluder 404 case (Mortgage Lenders of America LLC) and the proposed AOC for Sanders Brothers. Joel and I completed the final draft of the Sluder response to comments and welcome your review/comment. Also, I made changes to the Sanders Brothers AOC that Ken began routing before heading out for his vacation and also welcome your review/comments. They are sitting on my chair in my office (I'm teleworking tomorrow) if you're able to go by and pick up.

Once you've reviewed and signed off, I'll have them reviewed by ORC management/senior attorneys. Let me know if you have any questions. Thanks!

Stephen P. Smith
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Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Ghosh, Mita [Ghosh.Mita@epa.gov]
Sent: 9/2/2020 4:23:04 PM
To: Smith, Stephen [Smith.Stephen@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Public Notice Comment - CWA-04-2019-9970(b).pdf; Public notice screenshot.PNG; Public notice screenshot2.PNG; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b); Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (7-16-20).docx; Sluder Approval Email (8-3-20).pdf; Sluder CAFO Cover letter Post Execution (djo Update) (8-21-20) mjb.pdf; Sluder CAFO Routing slip 8 27 20 mjb.pdf; Sluder public notice.docx

Stephen,

I got a call from Mary Jo, who is really concerned about this email. Is this CAFO salvable and the information Tanya wants available?

Mita Ghosh
Chief, Water Law Office
Office of Regional Counsel
United States Environmental Protection
Region 4
404-562-9568

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From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if

the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 5/8/2020 8:05:58 PM
To: John Brunini [John.Brunini@butlersnow.com]
CC: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for the update, John. As for returning to the office, I'm honestly not sure. We had an region-wide update call yesterday, but I had a conference call conflict. Happy to email you if/when we get any official word.

Stephen P. Smith
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smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, May 8, 2020 1:31 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for your email, Stephen. All is going as well as can be expected around here. Hopefully for you, too.

I conferred with my client and although we respectfully disagree with the EPA's conclusions in this matter, we decided not to contest the proposed Consent Agreement and Final Order.

On a side note, any idea when you and your colleagues may begin returning to the office? Our firm is initiating a phased return next week, but it will likely be a couple of weeks after that before most people actually return to a daily office "routine."

Thanks,

JB

John A. Brunini

Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
john.brunini@butlersnow.com

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, May 8, 2020 11:33 AM
To: John Brunini
Cc: Strange, Joel
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John – Hope you're well. We are currently still out of the office due to Covid and have no access to our mailroom. I wanted to confirm whether you had sent anything by mail regarding this case since your original comment. Please advise and thanks so much.

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554

Fax: (404) 562-9486

smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 8:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554

Fax: (404) 562-9486

smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel

Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
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Fax: (404) 562-9486

smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini

Butler Snow LLP

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1020 Highland Colony Parkway, Suite 1400

Ridgeland, MS 39157

john.brunini@butlersnow.com

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Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 5/5/2020 3:53:37 PM
To: Strange, Joel [Strange.Joel@epa.gov]
CC: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

I haven't heard anything from John since this last email. Any word or response on your ends?

If they wanted to still set aside the CAFO, they were required to file a petition within 30 days of receipt of the response to comments which was approximately April 27, 2020.

Stephen P. Smith
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smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Friday, April 10, 2020 3:30 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks, Stephen. I will review and let you know if I have any questions.

Thanks again,
JB

John A. Brunini
Butler Snow LLP

D: (601) 985-4447 | F: (601) 985-4500
1020 Highland Colony Parkway, Suite 1400, Ridgeland, MS 39157
P.O. Box 6010, Ridgeland, MS 39158-6010
John.Brunini@butlersnow.com | vCard | Bio

FOR BUTLER SNOW'S COVID-19 RESOURCE HUB, CLICK HERE

Twitter | LinkedIn | Facebook | YouTube

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:26 AM
To: John Brunini <John.Brunini@butlersnow.com>
Cc: Strange, Joel <Strange.Joel@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

John - See attached for the Response to Comments and proposed final CAFO. Let me know if any questions.

Stephen P. Smith
Associate Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Friday, April 10, 2020 6:57 AM
To: John Brunini <John.Brunini@butlersnow.com>
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 4/10/2020 12:17:42 PM
To: Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Friday, April 10, 2020 7:58 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

This one.

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Friday, April 10, 2020 7:53 AM
To: Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Joel – Can you confirm the version of the final proposed CAFO and send it to me? I have the copy of the response to comments that I plan to resend to John (below), but the CAFO is missing and I want to include in my email to him. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: John Brunini <John.Brunini@butlersnow.com>
Sent: Thursday, April 9, 2020 3:34 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
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1020 Highland Colony Parkway, Suite 1400
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john.brunini@butlersnow.com

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Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 4/10/2020 10:57:08 AM
To: John Brunini [John.Brunini@butlersnow.com]
Subject: Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Thanks for letting me know, John, and apologize for the oversight. Let me check on this and either I or someone else will send you the missing documents.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
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61 Forsyth Street, S.W.
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Fax: (404) 562-9486
smith.stephen@epa.gov

On Apr 9, 2020, at 3:34 PM, John Brunini <John.Brunini@butlersnow.com> wrote:

Stephen,

I received a letter signed by Carol Kemker in the referenced matter stating that EPA had enclosed a document with responses to the comment we provided in this matter and also enclosed a copy of the proposed CAFO in the matter. Unfortunately, the letter I received did not include either the EPA's responses to our comment or the proposed CAFO. Could you provide me with those documents? Thank you for your assistance and please call me with any questions - 601-260-7382.

Thanks,
JB

John A. Brunini
Butler Snow LLP
D: (601) 985-4447
1020 Highland Colony Parkway, Suite 1400

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 3/2/2020 3:23:45 PM
To: Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: Acting
Attachments: Sluder - Response to Public Comments (Draft Option 3) (3-2-20).docx

Got pulled away for a minute, but attached is an updated "Option 3". Let me know what you think.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
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smith.stephen@epa.gov

From: Smith, Stephen
Sent: Monday, March 2, 2020 9:28 AM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: Acting

See attached. Calling you now.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Ghosh, Mita <Ghosh.Mita@epa.gov>
Sent: Monday, March 2, 2020 9:26 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Acting

Working from home but my phone is forwarded.

Mita Ghosh
Chief, Office of Water Legal Support
Office of Regional Counel
United States Environmental Protection
Region 4
404-562-9568

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From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, March 2, 2020 9:26 AM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: Acting

Great. Call you or are you in office?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Ghosh, Mita <Ghosh.Mita@epa.gov>
Sent: Monday, March 2, 2020 9:25 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>
Subject: RE: Acting

Sure, want to talk now?

Mita Ghosh
Chief, Office of Water Legal Support
Office of Regional Counel
United States Environmental Protection
Region 4
404-562-9568

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From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Monday, March 2, 2020 9:22 AM
To: Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: Acting

Mita – Are you free this any this morning to discuss briefly our draft response to comments for the Sluder 404 CAFO?

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Ghosh, Mita <Ghosh.Mita@epa.gov>
Sent: Monday, March 2, 2020 8:41 AM
To: Armor, Suzanne <Armor.Suzanne@epa.gov>; Beckwith, Natalie <Beckwith.Natalie@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Schwartz, Paul <Schwartz.Paul@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Stopper, Nathan <stopper.nathan@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>
Cc: Dae, Mary <Dae.Mary@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Bush, William <Bush.William@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>
Subject: Acting

I will be out of the office Tuesday through Thursday. Paul will be acting. Please make sure you send him your weekly report by noon tomorrow, Leif needs it by 5:00pm tomorrow.

Mita Ghosh
Chief, Office of Water Legal Support
Office of Regional Counel
United States Environmental Protection
Region 4
404-562-9568

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Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 1/23/2020 8:47:04 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
Subject: Re: Sluder and Sanders Brothers

Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

On Jan 23, 2020, at 3:42 PM, O'Lone, Dan <Olone.Dan@epa.gov> wrote:

Thanks Stephen. I'll take a look at them.

Sent from my iPhone

On Jan 23, 2020, at 2:03 PM, Smith, Stephen <Smith.Stephen@epa.gov> wrote:

Dan - I know you're still currently out, but wanted to let you know that I have two routing packages for you - our response to comments for the Sluder 404 case (Mortgage Lenders of America LLC) and the proposed AOC for Sanders Brothers. Joel and I completed the final draft of the Sluder response to comments and welcome your review/comment. Also, I made changes to the Sanders Brothers AOC that Ken began routing before heading out for his vacation and also welcome your review/comments. They are sitting on my chair in my office (I'm teleworking tomorrow) if you're able to go by and pick up.

Once you've reviewed and signed off, I'll have them reviewed by ORC management/senior attorneys. Let me know if you have any questions. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 1/23/2020 8:03:36 PM
To: O'Lone, Dan [Olone.Dan@epa.gov]
CC: Strange, Joel [Strange.Joel@epa.gov]; Kwan, Kenneth [Kwan.Ken@epa.gov]
Subject: Sluder and Sanders Brothers

Dan - I know you're still currently out, but wanted to let you know that I have two routing packages for you - our response to comments for the Sluder 404 case (Mortgage Lenders of America LLC) and the proposed AOC for Sanders Brothers. Joel and I completed the final draft of the Sluder response to comments and welcome your review/comment. Also, I made changes to the Sanders Brothers AOC that Ken began routing before heading out for his vacation and also welcome your review/comments. They are sitting on my chair in my office (I'm teleworking tomorrow) if you're able to go by and pick up.

Once you've reviewed and signed off, I'll have them reviewed by ORC management/senior attorneys. Let me know if you have any questions. Thanks!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 7/22/2020 1:52:51 PM
To: Armor, Suzanne [Armor.Suzanne@epa.gov]
Subject: FW: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Public notice screenshot.PNG; Public notice screenshot2.PNG; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Sluder public notice.docx; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Below was my response to Tanya. Happy to discuss further, if needed!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Smith, Stephen
Sent: Wednesday, July 15, 2020 5:51 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Dan Olone (Olone.Dan@epa.gov) <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Hey, Tanya! Sorry for the delay. I've been able to speak with the Program and hopefully address most of your questions below (responses in red). I'll give you a call tomorrow if you don't mind to discuss further.

…

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

See attached for two screenshots of the website PN, as well as a PDF copy of the proposed CAFO which was attached with the PN. Also, attached is the PN Word document provided to Sherry Maddox for publishing the PN on 10/11/19. As a reminder, this PN occurred in October which may possibly be the cause of some of these concerns/issues.

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

After reviewing, the PN itself does not provide the address of the Respondent, but does provide the location of where the violations occurred and a description of the violation. If the required information needs to be in the body of the PN, rather than the proposed CAFO itself, I'm happy to work with the Program make the needed updates to the PN model and provide to you for review. FYI, after talking with Dan and Joel, it does seem that this PN followed the same model and PN process that other CWA 402 and 404 settlements have followed in the past according to them, so does that mean that the other settlements, in the recent past, have had the same issues? Let's discuss because no doubt the goal is to make sure it's right, especially as the end of the fiscal year comes up.

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

See response above and the attached.

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

See response above. We can definitely work on this. Let's discuss.

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

See attached for a copy of the comment received, our response to the comment on 3/24/20, and an email from counsel for the commenters stating that they no longer plan to contest the CAFO. We will make sure to include these in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

We will update the CAFO and related documents to be up-to-date for the new electronic requirements. We will also contact the Respondent and have them agree to the updates (and include their response in the revised routing package).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Sounds great.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

Joel/Dan – Can you guys address/answer this?

Thanks, Tanya!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

From: Strange, Joel
To: Smith, Stephen
Subject: FW: [EXTERNAL] RE: Sluder
Date: Monday, August 3, 2020 5:25:06 PM
Attachments: image001.png
image002.png
image003.png
image004.png

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 5:17 PM
To: Strange, Joel <Strange.Joel@epa.gov>; Stuart Sligh <s_sligh@slighec.com>
Subject: Re: [EXTERNAL] RE: Sluder

Yes electronic delivery is good with me. Thks

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Ron Sluder | **Mortgage Loan Originator**
Silverton Mortgage
o: 912-294-7609
Ron.Sluder@silvertonmortgage.com

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 5:15:05 PM
To: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>; Stuart Sligh <s_sligh@slighec.com>
Subject: RE: [EXTERNAL] RE: Sluder

Ron,

I don't need a signature. The copy was just for you to review the changes in the delivery method. Your signature on the previous one is fine. All I need is your concurrence that electronic delivery instead of regular mail is okay.

From: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Sent: Monday, August 3, 2020 4:48 PM
To: Stuart Sligh <s_sligh@slighec.com>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Re: [EXTERNAL] RE: Sluder

I'm good with it will have signed and sent back tomorrow Thks

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Ron Sluder
Mortgage Loan Originator
o: 912-294-7609 | f: 912-335-3800
Ron.Sluder@silvertonmortgage.com
230 West Bay St, Jesup, GA, 31545

SilvertonSecure+ the mic drop of mortgage approvals - learn why.

NMLS 1561 Georgia Residential Mortgage Licensee 6911 Equal Housing Opportunity MLO NMLS 917858 GRMA 35037

From: Stuart Sligh <s_sligh@slighec.com>
Sent: Monday, August 3, 2020 4:45:54 PM
To: 'Strange, Joel' <Strange.Joel@epa.gov>
Cc: Sluder, Ron <Ron.Sluder@silvertonmortgage.com>
Subject: [EXTERNAL] RE: Sluder

External email: careful w/ links or attachments

Ron: Can you send email to Joel Strange (Copied on this email) stating you are good with electronic delivery of the EPA CO for Captains Cove.
Thanks,
Stuart

From: Strange, Joel <Strange.Joel@epa.gov>
Sent: Monday, August 3, 2020 4:16 PM
To: Stuart Sligh <s_sligh@slighec.com>
Subject: Sluder

Stuart,

Just checking in. All we need from Sluder is an email saying that he is okay with electronic delivery.

Joel Strange
Enforcement Officer | Enforcement and Compliance Assurance Division
Surface Water and Ground Water Section
U.S. Environmental Protection Agency - Region 4
61 Forsyth St SW, Atlanta, GA 30303
404-562-9455

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 9/3/2020 2:33:13 PM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
CC: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: Sluder - CAFO (EPA Update Reflecting New Electronic Requirements) (9-3-20).pdf

Dan/Joel – Please use the attached PDF of the CAFO for getting Sluder's signature. I've updated it with page numbers 9 and 10 per Tanya's email. Will be so happy when this damn case is final…ha.

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Thursday, September 3, 2020 9:49 AM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

The parties, both the Respondent and ECAD,
will need to resign the revised Consent Agreement. The initial CA signature page does not match/look exactly like the revised CA signature page (please see how the signature page on the prior document does not match/look exactly like the signature page on the new document).

I was unaware that was the situation when you asked if the Respondent would need to resign. Most of the programs in ECAD have separate signature pages for each party which are separate from the body of the CA. You did not mention that the prior CA signature page differed from the revised CA signature page when asking the question if the parties needed to resign the CA.

Whenever the original signature page signed by a Respondent changes due to different page numbering, different paragraph numbering within the body of the CA, etc., and the prior CA signature page does not exactly match the signature page in the revised CA (or ESA), the Respondent will need to resign if the Respondent had signed in wet ink and submitted a pdf signature page. The signature page on the prior CA must match exactly to the signature page on the revised CA, including the page numbers, for a Respondent not to have to resign (if the Respondent signed in wet ink and submitted a pdf signature and approved the changes after signature in writing).

Any changes to the CA after a Respondent signed electronically will require the Respondent (and EPA, if it also had electronically signed a prior version) to resign the revised CA since the electronic document will no longer be the "original" document.

What many programs did in ECAD was change CAFO models to have separate signature pages for each party (one signature page for Respondent, one signature page for EPA) on separate pages from the body of CA thereby reducing when a Respondent would need to resign if changes are needed to the document after signing (in wet ink).

Page numbering also needs to be included on the Final Order and the Certificate of Service in the revised CAFO (ex. the Final Order would be number p. 9 and the Certificate of Service would be p. 10).

I previously asked if a PN attachment, such as that included in the 2nd routing, was placed as an attachment to the public notice on EPA's website for the matter and you informed me it was not. Therefore, the Word PN included in the 2nd routing package did create significant confusion. Only the true and accurate documents attached to the PN should be included in the routing package.

Any future CWA CAFO or ESA routing packages MUST include a complete screenshot(s) of the entirety of the public notice (from the top of the page with the date to the bottom of the page, no partial PN screenshot) and true and accurate copies of all attachments to the PN (such as a copy of the proposed CAFO, any exhibits, Violations Forms, etc.). Please see both the RJO Checklist and the SOP during unscheduled telework discussing this requirement.

The screenshots provided in this matter are not the entirety of the public notice. I will not accept any similar screenshots for future matters – **any future CWA CAFOs or ESAs routed to me MUST contain screenshots showing the entirety of the public notice on EPA's website and also true and accurate copies of all attachments thereto, such as the proposed CAFO or ESA, exhibits, Violations Forms, etc.** I need to see the entirety of what is placed on EPA's website regarding the public notice to determine compliance with 40 C.F.R. § 22.45. This is not a new requirement so screenshots of the entirety of the PN should have been captured for this matter and attachments thereto included in the initial routing package. Since a comment was received on the proposed CAFO, I am certain a public notice was provided in this matter.

To provide clarity on dating of the cover letter transmitting a ratified CAFO or ESA – it is the top of the page under the EPA address that is not to be dated by ECAD because the RHC will include the date of filing on the cover letter at the top of the letter. Electronic signatures by EPA officials should show the date and time of signature– see the Adobe electronic signing instructions included in Leif's email dated June 29, 2020.

Please contact Pat with any questions or to see copies of cover letters submitted by other ECAD programs leaving the date off the top of the letter and the electronic signature including the time and date of the ECAD signatory.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Smith, Stephen <Smith.Stephen@epa.gov>
Sent: Wednesday, September 2, 2020 2:33 PM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>; Lamberth, Larry

<Lamberth.Larry@epa.gov>
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Thank, Tanya. Below are my responses to your comments (in red) based on my communication with ECAD. Let me know if you have any questions and whether we need to schedule a call. I've also attached a PDF version of the updated CAFO.

...

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO. My understanding from our calls following your June 30th email was that as long as we got you the

---

requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed. I communicated the same to Dan via email when he asked me about it. Let me know if we need to discuss this further as I know it was a while back.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. The screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago. Also, as I mentioned above, my understanding from our calls following your June 30th email was that as long as we got you the requested info and updated the CAFO with approval from the Respondent, that the PN would not need to be re-public noticed.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email). Let me know what you think.

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
2. Is "TNWs" as stated in Paragraph 15 of this Consent Agreement spelled out or defined in the model? If it is not, it should be spelled out prior to use of the acronym in the model. Where is the acronym spelled out/defined in this Consent Agreement prior to Paragraph 15? If not spelled out prior to use in Paragraph 15, please spell out in Paragraph 15 prior to having all the parties sign the revised CA since the parties' signatures are needed on the revised CA.

This CAFO was prior to the new model, and I'm honestly not sure why it did not have page numbers. I've since updated it to include them, as well as corrected the TNW oversight.

If ECAD signs the revised CA electronically, Adobe should be used while on an EPA issued computer with insertion of a Smartcard and show the time and date of the electronic signature. Please note the cover letter signature does not show the time and date of the electronic signature by ECAD. The time and date of ECAD's electronic signature needs to be shown on a Consent Agreement or ESA. Please see the email sent by Leif during the afternoon on June 29th containing information about the Region 4 Part 22 routing process during unscheduled telework, the RJO checklist for reviewing CAFOs and ESAs, and additional information which may be useful.

Regarding Mary Jo's e-signature on the cover letter, ECAD's understanding per the SOP was that the cover letter was to be undated so the date can be added by the RHC. The signature was undated so, that once it was finalized, there would not be a conflict between the date on the letter and the date in the signature. Let us know if that is not correct and Mary Jo can re-sign.

Thanks for your help as always!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Stephen,

I am in receipt of the above referenced CAFO routing package for review.

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2). An undated and unnumbered public notice is attached to this

electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

Two questions about the CWA Section 404 CAFO Model: 1. Does the Model include page numbers? If not, page numbers should be added to the model. Since the parties need to sign the revised CAFO, please include page numbers prior to having the parties sign.
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If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813

Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 9/2/2020 2:35:02 PM
To: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]
Subject: RE: Final Order Package for Mortgage Lender's of America (Ron Sluder)
Attachments: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Below is my draft response to Tanya's latest email (in red). Let me know what you think. I've also attached my response to her original June 30th email for additional context on what we had previously discussed.

…

As I stated when I initially returned the CAFO on June 30th, I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

Beyond the screenshots, the only document included in the PN was the PDF of the CAFO.

An undated and unnumbered public notice is attached to this electronic routing package and screenshots of the impartial public notice are provided. The partial screenshots do not provide what attachments were placed on EPA's website and the number of pages of those attachments. I need to see entire screenshots of the complete public notice and all of the attachments to the public notice (such as the CAFO, exhibits, and any other attachments). Was an undated, with yellow highlight for where the date is to be included, and unnumbered public notice placed on EPA's website as an attachment? A screenshot of the complete public notice, including the list of attachments to the online public notice, is needed to see what attachments were part of the public notice. Please send the complete screenshot(s) of all of the public notice placed on EPA's website and all true and accurate attachments to the public notice placed on EPA's website when sending a revised CAFO routing package. It has been a requirement to include the entirety of the public notice (screenshots of the complete posting on EPA's website if the public notice is no longer available online at the time of routing the matter to the RJO for review) and all attachments thereto in a CAFO or ESA routing package my entire tenure as RJO on matters subject to public notice requirements in 40 C.F.R. §22.45. Any future routing packages will need to contain screenshots of the complete public notice placed on EPA's website and all complete attachments thereto (such as a proposed CAFO, ESA, exhibits, etc.). I am unable to determine compliance with 40 C.F.R. § 22.45 without inclusion of complete screenshots of the entirety of the public notice and all attachments thereto placed on EPA's website in CAFO or ESA routing packages.

I believe the Word document with the PN language (titled "Sluder public notice.docx") was only included for convenience, but likely should have been removed before routing to you. Sorry for any confusion. It was not included in the PN. The only document attached to the PN was the PDF of the CAFO. Regarding the PN, it was published back in October 2019 and is only getting to you now because of the response to comments that occurred and your June 30th email about the package requesting changes and us getting the Respondent's approval for the changes. To my understanding, the screenshots attached to Mary Jo's email are the only screenshots that we have on file since it was published nearly a year ago.

A new CAFO is attached to this routing package in Word with no page numbers or signatures of the parties. The new CAFO needs to contain page numbers, signatures of the parties, and be in pdf format for electronic signing by the RJO and RHC. The signature pages in the new CAFO do not align with the prior CAFO signature pages so the parties will need to resign. Parties who submit pdf signatures of wet ink signatures are not required to resign if changes are made and all parties agree to the changes (including Respondent agreeing to changes in writing by email) except when signature pages from the prior CAFO do not align with signature pages of the revised CAFO or significant changes are made to a CA or ESA signed by a Respondent. I was unaware the signature pages did not align with the prior CAFO signature pages when you asked if the parties need to resign the CA. If the signature pages had aligned in the revised CAFO with the prior CAFO, the signatures should have been included as part of the revised document included in 1 email attachment to the

routing package (in that 1 email attachment, the complete CAFO with all the parties' signatures, Certificate of Service, and any exhibits or attachments to the CA).

I've gone ahead and updated the CAFO with page numbers and converted it to PDF. Like the PN, the CAFO was signed by all parties back in October before the new electronic requirements. Beyond updating the CAFO to reflect the new electronic requirements and getting the Respondent's approval by email to the new changes, we thought that was all that was needed – essentially that the prior signature page could be added to the updated CAFO and satisfy all requirements (after receiving the Respondent's approval by email, which was included in Mary Jo's email).

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Regarding Mary Jo's e-signature on the cover letter, I'm not sure why it doesn't include the date. I wasn't aware and we can definitely correct.

Based on the responses above in red, two more important questions:

1. Do we need everyone to re-sign the updated CAFO if we already have the completed signature page for the prior CAFO and got approval from the Respondent of the changes made to the CAFO?
2. Given that the CAFO was public noticed back in October and has since had comments and responses, do we now need to re-public notice the CAFO due to the issues raised? We've obviously since updated the PN model and process to address your concerns for all future CAFOs, but we did not confirm whether this PN needed to be re-published as well – the focus and discussion was admittedly more so correcting the model for future CAFOs.

Let us know what you think and thanks always for your help!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, September 1, 2020 11:02 PM
To: Smith, Stephen <Smith.Stephen@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>; Bragan, Mary Jo

<Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: FW: Final Order Package for Mortgage Lender's of America (Ron Sluder)

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If you or ECAD have any questions, please contact Pat. If she is unable to answer any questions, she will contact me for input.

Thank you,
Tanya

Tanya Floyd
Regional Judicial Officer
Attorney
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
Phone: (404) 562-9813
Email: floyd.tanya@epa.gov

From: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Sent: Tuesday, September 1, 2020 7:54 PM
To: Bullock, Patricia <Bullock.Patricia@epa.gov>; Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>; Strange, Joel <Strange.Joel@epa.gov>
Subject: Final Order Package for Mortgage Lender's of America (Ron Sluder)

Tanya/Pat –

Please find attached the package for the Mortgage Lenders of America CWA case. The attachments also include the public comment received during the public comment period and the EPA's response to the comment. Please let me know if anything is missing or needs to be corrected.

Thank you-
Mary Jo
X 9275

Message

From: Smith, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03D8CE93CED5436DA4BFC87EE709682A-SMITH, STEPHEN]
Sent: 7/15/2020 9:50:35 PM
To: Floyd, Tanya [Floyd.Tanya@epa.gov]
CC: Dan Olone (Olone.Dan@epa.gov) [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Bullock, Patricia [Bullock.Patricia@epa.gov]; Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)
Attachments: Public notice screenshot.PNG; Public notice screenshot2.PNG; Mortgage Lenders of America LLC Ron Sluder Final CAFO.pdf; Sluder public notice.docx; Public Notice Comment - CWA-04-2019-9970(b).pdf; Mortgage of America Lenders CAFO2020-03-30-110710.pdf; Re: In the Matter of Mortgage of America Lenders; Docket No. CWA-04-2019-9970(b)

Hey, Tanya! Sorry for the delay. I've been able to speak with the Program and hopefully address most of your questions below (responses in red). I'll give you a call tomorrow if you don't mind to discuss further.

…

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

See attached for two screenshots of the website PN, as well as a PDF copy of the proposed CAFO which was attached with the PN. Also, attached is the PN Word document provided to Sherry Maddox for publishing the PN on 10/11/19. As a reminder, this PN occurred in October which may possibly be the cause of some of these concerns/issues.

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

After reviewing, the PN itself does not provide the address of the Respondent, but does provide the location of where the violations occurred and a description of the violation. If the required information needs to be in the body of the PN, rather than the proposed CAFO itself, I'm happy to work with the Program make the needed updates to the PN model and provide to you for review. FYI, after talking with Dan and Joel, it does seem that this PN followed the same model and PN process that other CWA 402 and 404 settlements have followed in the past according to them, so does that mean that the other settlements, in the recent past, have had the same issues? Let's discuss because no doubt the goal is to make sure it's right, especially as the end of the fiscal year comes up.

I will need to see all documents placed on EPA's website as part of the public notice prior to determining if I will ratify the settlement or require it be placed on public notice again containing all the items required by 40 C.F.R. 22.45(b)(2).

See response above and the attached.

I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

See response above. We can definitely work on this. Let's discuss.

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

See attached for a copy of the comment received, our response to the comment on 3/24/20, and an email from counsel for the commenters stating that they no longer plan to contest the CAFO. We will make sure to include these in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

We will update the CAFO and related documents to be up-to-date for the new electronic requirements. We will also contact the Respondent and have them agree to the updates (and include their response in the revised routing package).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Sounds great.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

Joel/Dan – Can you guys address/answer this?

Thanks, Tanya!

Stephen P. Smith
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W.

Atlanta, Georgia 30303
Ph: (404) 562-9554
Fax: (404) 562-9486
smith.stephen@epa.gov

From: Floyd, Tanya <Floyd.Tanya@epa.gov>
Sent: Tuesday, June 30, 2020 6:00 PM
To: O'Lone, Dan <Olone.Dan@epa.gov>; Smith, Stephen <Smith.Stephen@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Bullock, Patricia <Bullock.Patricia@epa.gov>; Daniels-Lewis, Alicia <Daniels-Lewis.Alicia@epa.gov>
Subject: RE: Final CA/FO for Mortgage Lender of America (aka Sluder)

Stephen and Dan,

I received the above referenced CAFO for review today. It does not appear all of the attachments to the public notice were included in the CAFO routing package. Were any attachments, such as the proposed CAFO, included as an attachment to the public notice placed on EPA's website? If so, will you please send all of the attachments to the public notice placed on EPA's website?

The public notice itself attached to the electronic routing package does not meet all of the requirements of 40 C.F.R. 22.45(b)(2), including providing the address of the Respondent, the location/address of where the violation occurred, and a description of the violation. See: https://www.ecfr.gov/cgi-bin/text-idx?node=pt40.1.22&rgn=div5#se40.1.22_145. Also see the attached RJO checklist. All of the items listed in 22.45(b)(2) need to be included in the body of the public notice and not as an attachment to the public notice (or altogether not provided to the public on EPA's website).

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I highly recommend the public notice model be revised to include all items required by 40 C.F.R. 22.45(b)(2). I am happy to review CWA Section 402 and Section 404 public notice models for Part 22 compliance prior to finalization of the models. Prior public notice models I reviewed contained the requisite information (was the model changed prior to publication of the above referenced CAFO public notice?).

Did the commenter(s) withdraw his/her/its comment(s) or inform EPA that his/her/its comment(s) was/were addressed? Was a petition to set aside filed? Please send me a copy of the comment(s) and EPA's responses thereto in the revised CAFO routing package.

The cover letter and Certificate of Service both need revision. All cover letters and Certificates of Service are being sent by the RHC to Respondents via email (and will continue to be sent by email after the unscheduled telework period ends). Therefore, the cover letter and Certificate of Service need to state service is by email (instead of mail) and contain the valid email address of the Respondent (please see the Certificate of Service model on ECAD's SharePoint website recently updated by Jim Couch). The Respondent will need to be notified that service is by email and send an email to EPA agreeing to service by email. Such email from the Respondent agreeing to service by email should be included in the revised CAFO routing package. The cover letter needs to be electronically signed using Adobe Reader or Pro on an EPA computer with insertion of a Smartcard by the appropriate EPA official. The "x" signature on the cover letter sent in the routing package does not comply with the March 31, 2020 SIO Memo. Please see the attached Region 4 SOP for ratifying and serving CAFOs and ESAs during unscheduled telework (also see the email sent by Leif Palmer yesterday afternoon).

The revised CAFO routing package should contain in 1 attachment to the email: the CAFO, all attachments thereto (Exhibits A and B and Attachment A), and the Certificate of Service. The revised cover letter should be a separate attachment to the CAFO routing package email. An email from the Respondent approving service by email should be a 3rd attachment to the revised CAFO routing package email. Comments received during the public comment period should be a 4th attachment and EPA's responses thereto should be a 5th attachment.

Who signed the CAFO for EPA (I see it says "for", but am unable to read the signature)? Was that person acting for Mary Jo on the date it was signed?

I am on leave this week and will not have access to email or phone messages tomorrow until the afternoon of Monday, July 6th. I will be available to answer any questions you may have when I return to work next week.

Thank you and hope you have a great July 4th holiday,
Tanya

From: O'Lone, Dan <Olone.Dan@epa.gov>
Sent: Tuesday, June 30, 2020 11:31 AM
To: Floyd, Tanya <Floyd.Tanya@epa.gov>
Cc: Strange, Joel <Strange.Joel@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: Final CA/FO for Mortgage Lender of America (aka Sluder)

Tanya, please find attached all the necessary documents associated with the final CA/FO for Mortgage Lenders of America (aka Sluder).
This is a wetlands case that had public comments that were addressed.

It seems like an eternity for me since I've seen one of these go through, let alone in digital form so I hope I have provided everything you need.

We were not too sophisticated when we began the routing so the routing slip is not digitally stamped, but has initials and dates some of which I inserted based on emails.

I'm cc'ing the enforcement officer and everyone I signed for on the routing slip just to keep everyone in the digital loop.

Thanks,

Dan
****
Daniel J. O'Lone, Chief
Surface Water and Groundwater Section
WEB/ECAD, Region 4
404.562.9434, (c) 404.783.8342
olone.dan@epa.gov
****
"The single biggest problem in communication is the illusion that it has taken place."
George Bernard Shaw

Appointment

From: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]
Sent: 9/16/2020 4:12:49 AM
To: Bragan, Mary Jo [Bragan.Maryjo@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Strange, Joel [Strange.Joel@epa.gov]; Young, Angela [Young.Angela@epa.gov]; Smith, Stephen [Smith.Stephen@epa.gov]

Subject: Sluder CAFO Package review
Attachments: Mortgage Lenders of America - Final CAFO.pdf; Mortgage Lenders of America - Public Notice Comment.pdf; Mortgage Lenders of America - Public Notice Screen Shots.pdf; Mortgage Lenders of America- Routing Slip.pdf; Mortgage Lenders of America - Comment Response.pdf; Mortgage Lenders of America - CAFO transmittal letter.pdf; Mortgage Lenders of America - Electronic Recpt Approval.pdf; Mortgage Lenders of America - Email confirmation.pdf
Location: Microsoft Teams Meeting

Start: 9/16/2020 1:00:00 PM
End: 9/16/2020 1:30:00 PM
Show Time As: Tentative

Required Attendees: Dan Olone (Olone.Dan@epa.gov); Strange, Joel; Young, Angela; Smith, Stephen

Let's have a quick meeting to go over the CAFO package before it gets sent to Tanya.

Join Microsoft Teams Meeting

+1 202-991-0477 United States, Washington DC (Toll)

Conference ID: 294 719 652#

Local numbers | Reset PIN | Learn more about Teams | Meeting options

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