From: Kenny, Mary Theresa
To: Nixon, Lance
Subject: RE: CERCLA 104(e) Request - Cedar Chemical Corporation
Date: Thursday, March 07, 2013 12:19:40 PM
Attachments: NW-#427220-v1-Email_from_Marvin_Benton_-_CERCLA_104_(e)_request-Cedar_Chemical_Corp_2-20-13.PDF

Thank you, Lance. In a February 20th e-mail from USEPA's attorney assigned to this matter, Marvin Benton, he indicated that Rhodia's new deadline would be Tuesday, April 9th (I have attached a copy of this e-mail for your reference). However, the letter you sent to me today indicates that the deadline is April 8th. Recognizing its only a day difference, is it okay if we stick with the date that Marvin provided, April 9th, as we have already informed our client that the new deadline would be April 9th?

Please advise. Thanks again.

Regards,

Mary

From: Nixon, Lance [mailto:Nixon.Lance@epa.gov]
Sent: Thursday, March 07, 2013 11:56 AM
To: Kenny, Mary Theresa
Subject: RE: CERCLA 104(e) Request - Cedar Chemical Corporation

I apologize for the delay.

From: Kenny, Mary Theresa [mailto:Mary.Kenny@klgates.com]
Sent: Friday, February 15, 2013 12:22 PM
To: Nixon, Lance
Cc: Montag, Brian
Subject: CERCLA 104(e) Request - Cedar Chemical Corporation

Dear Lance:

I am following up on the voicemail that I left you earlier today. Our firm has recently been asked by our client, Rhodia Inc. ("Rhodia"), to assist in responding to USEPA's CERCLA 104(e) request that it received in connection with the Cedar Chemical Corporation Superfund Site, located in West Helena, Arkansas (the "Site"). Rhodia recieved USEPA's request January 22nd, to which it has 30 days to respond. I am contacting you to request an extension of that deadline. I previously reached out to Marvin Benton to secure an extension, but I have not heard back from him yet. Since Rhodia's response is currently due February 21st, I was hoping that you would be willing to consider Rhodia's request. While Rhodia has started reviewing historic business records, it is running into issues in preparing its responses mainly because it does not appear that Rhodia itself had any relationship to the Site. Rather, it appears that a company that Rhodia acquired over a decade ago had some type of limited business relationship with Cedar Chemical, the nature and extent of which Rhodia is currently investigating. Since Rhodia's responses necessarily concern operations of a predecessor in interest, relevant documents and information is not readily available. Also, the pending 104(e) request concerns historic operations that occurred over 20 years ago and locating responsive documents/information will require additional time and effort. Accordingly, for these reasons, I kindly request a 60 day extension for Rhodia to submit its responses to the EPA's 104(e) request.

Thank you in advance for your time and attention. I look forward to hearing from you.

Regards,

Mary

Mary Theresa Kenny
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