From:	Quinones, Edwin
To:	"Charles Keith"; Matt Rosek; "John McCoy"
Cc:	Hayes, Mark
Subject:	RE: West Fertilizer week summary
Date:	Tuesday, July 16, 2013 1:53:00 PM
Attachments:	image001.png B7990 JVM to Interested Parties-Consent for Access to Property 6-21-13.pdf

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Thanks for the quick reply, Charles. Mr. McCoy signed a Consent for Access form granting access to the EPA and its representatives and contractors. I just want to make sure that the Consent for Access is still in place and has not been revoked. It sounds from your explanation below that it is still in place and has not been revoked. Is that correct? I'm attaching a copy of the Consent for Access for everyone's convenience.

Ed Quinones

From: Charles Keith [mailto:chuckk@craneengineering.com]
Sent: Tuesday, July 16, 2013 11:43 AM
To: Quinones, Edwin; Matt Rosek
Cc: Hayes, Mark
Subject: RE: West Fertilizer week summary

Edwin,

The meaning is that no interested parties will be onsite until further notice. State and Federal agencies will be given access upon request. Our policy has been that when a state or federal agency requests access to the site we notify the interested parties that we are granting supervised access to the interested agency on a given date at a given time and then we proceed.

The long and short of it is, if you need to get on site, call us and we will make it so.

I hope this helps clarify my note.

Best regards

Charles G. Keith, P.E.
Crane Engineering
2355 Polaris Lane North
Plymouth, MN 55447
(763) 557-9090
(800) 538-2797
Fax (736) 557-0710
chuckk@CraneEngineering.com
www.CraneEngineering.com

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From: Quinones, Edwin [mailto:quinones.edwin@epa.gov]
Sent: Tuesday, July 16, 2013 11:30 AM
To: Matt Rosek
Cc: Hayes, Mark; Charles Keith
Subject: FW: West Fertilizer week summary

Hi Matt:

I was wondering if I could get some clarification of Mr. Keith's e-mail below. In it, he says "the site is now closed to all interested parties." Does this mean that the Consent for Access to EPA has been revoked? Please let me know as soon possible on this issue. Thanks,

Ed Quinones
Assistant Regional Counsel
US EPA Region 6
214-665-8035

From: Charles Keith [mailto:chuckk@craneengineering.com]
Sent: Monday, July 15, 2013 9:45 AM
To: MAZIZ@ABRAHAMWATKINS.COM; EANDRUS@ABRAHAMWATKINS.COM; JDEAN@ABRAHAMWATKINS.COM; SANDY@THEAMLAWYERS.COM; BENNIE.MCILVEEN@FAIRMONTSPECIALTY.COM; TDEES1@GMAIL.COM; CMARTINAPEX@YAHOO.COM; JTATOM@APT-RESEARCH.COM; JGREEN@ASHCRAFTLAW.COM; MPARFITT@ASHCRAFTLAW.COM; MPARF@AOL.COM; DOUGLAS.KUNZE@ATF.GOV; JOHN.SCOTT@TEXASATTORNEYGENERAL.GOV; QBAKER@BAKERRISK.COM; RBENNETT@BAKERRISK.COM; GSHELTON@BAKERRISK.COM; RMCGEE@THEBASSETTFIRM.COM; SMUNCEY@BERGERKAHN.COM; SSCARBROUGH@BMH-LAW.COM; JBOTELER@BMG-LAW.COM; JGATHERTON@AOL.COM; JBARR@BBARR.COM; MKUUSELA@BUTLERPAPPAS.COM; BOB.MIKELL@CARRIER.UTC.COM; JOHN.CAYIAS@MCTX.COM; ED@MCTX.COM; DRTHOMAS@CFINDUSTRIES.COM; RGONZALES@CBYLAW.COM; MYOUNG@CBYLAW.COM; EWOTRING@CONNELLYBAKER.COM; Heather Charette; Charles Keith; Holly Taylor; Matt Wilber; BRIAN_MALARD@US.CRAWCO.COM; DADEFEN123@AOL.COM; MARK.FRAZIER@USDOJ.GOV; LE.MADELEINE@DOL.GOV; LEWIS.JEFFREY@DOL.GOV; RDESIMONE@DESIMONELAWOFFICE.COM; AHAHN@DS-LAWYERS.COM; EGRAY@ECKERTSEAMANS.COM; RHAFNER@ECKERTSEAMANS.COM; DAN_DELLASALA@EFIGLOBAL.COM; LRIDDLE@LSB-OKC.COM; PJDAUM@ESI-IL.COM; JENGVALL@E-H-LAW.COM; JENGVALL@ELHOUSTON.COM; Hayes, Mark; RGERBER@EVANS-DIXON.COM; KATHY.SANFELIPE@FAIRMONTSPECIALTY.COM; HAL.LYSON@FCAFIRE.COM; JOECONWILL@YAHOO.COM; ROBERT.COLLINS@GEBKLAWYERS.COM; KARL.KOEN@GEBKLAWYERS.COM; SCOTT.KIDD@GEBLAWYERS.COM; ROBERT.COLLINS@GEBKLAWYERS.COM; SGDAVIS@GEXCON.COM; DEREK.ENGEL@GEXCON.COM; FGAVELLI@GEXCON.COM; PCHINZE@GEXCON.COM; RICKY@GRONESENVIRONMENTAL.COM; PGAREIS@GHLAW-LLP.COM; KMOSLEY@GHLAW-LLP.COM; WPICKETT@GHLAW-LLP.COM; ATHAKRAR@GHLAW-LLP.COM; MGROTEFELD@GHLAW-LLP.COM; JOHN@THETRIALLAWYERS.COM; STEVE@THETRIALLAWYERS.COM; ZOLLIE@THETRIALLAWYERS.COM;

COPLEYC@HELENACHEMICAL.COM; COXD@CLASSICNET.NET; BRISTERE@HELENACHEMICAL.COM; JKLICK@HHKLAWFIRM.COM; TWOODS@HHKLAWFIRM.COM; FHERRERA@HERRERALAW.COM; CAT@HMGLAWFIRM.COM; CMGLAWFIRM@GMAIL.COM; CPINEDO@HMGLAWFIRM.COM; DONPJONES@GMAIL.COM; JOE.SEMENS@IBSA.COM; CEFALANY@SHEPHERDENGINEERS.COM; RMEIER@KENNEDY-FIRE.COM; KSMITH@KENNEDY-FIRE.COM; LSMITH@KELLYSMITHPC.COM; PKENNEDY@KENNEDY-FIRE.COM; SCOTT@KRWLAWYERS.COM; RSTROUP@KILGOREENGINEERING.COM; RCOX@KODIAKCONSULTING.COM; DAVEWILLIAMS.LEE@YAHOO.COM; CURTIS@WHITNEYFANNING.COM; TJH@THOMASJHENRYLAW.COM; JBAIRD@LOKICONSULT.COM; JCARVER@LSB-OKC.COM; DRILEY@LWGCONSULTING.COM; RTORRES@LWGCONSULTING.COM; NRYMER@RMJELAW.COM; MMCDONALD@MSSM-LAW.COM; JSHOWERS@MSSM-LAW.COM; RSCHUSTER@MWL-LAW.COM; GWICKERT@MWL-LAW.COM; SALMETER@MCCATHERNLAW.COM; PGRINKE@MCCATHERNLAW.COM; DMAYS@MCCATHERNLAW.COM; E.BENSTOCK@MCDOWELLOWENS.COM; R.BONYATA@MCDOWELLOWENS.COM; N.CAMARA@MCDOWELLOWENS.COM; J.CUNAG@MCDOWELLOWENS.COM; M.MATHERNE@MCDOWELLOWENS.COM; J.MCDOWELL@MCDOWELLOWENS.COM; D.NOLEN@MCDOWELLOWENS.COM; E.REYES@MCDOWELLOWENS.COM; R.SIMMONS@MCDOWELLOWENS.COM; MAIKEN@MLLLAW.COM; JMCCOY@MLLLAW.COM; MROSEK@MLLLAW.COM; MMORAN@MUNCKWILSON.COM; CBM@MUSSLEWHITE-LAW.COM; CAMPBELL@NAMANHOWELL.COM; FULLER@NAMANHOWELL.COM; TJH@OTSC.TAMU.EDU; BLJ@OTSC.TAMU.EDU; JRS@OTSC.TAMU.EDU; RBS@OTSC.TAMU.EDU; RRS@OTSC.TAMU.EDU; rector.jack@dol.gov; FILES.GARY@DOL.GOV; OWENSENG@ATT.NET; DODARTM@PHELPS.COM; TALLEYP@PHELPS.COM; SFERGUSON@CHADPINKERTON.COM; BROBERTS@CHADPINKERTON.COM; JROMIG@PONDEROSA-ASSOC.COM; PHILIP.MEYERDIERKS@PRAXISCONSULTING.COM; INFO@IDC-PBS.COM; PDAWACO@PDAORG.NET; ZJONES@PULF.COM; THOMAS.SING@QUESTFIREANALYSIS.COM; SKLEPFER@QUESTFIREANALYSIS.COM; LADON@MECWB.COM; RANDY@ROBERTSLAWFIRM.COM; BBOZE@RMJELAW.COM; DONH@SAFETYENGINEERINGLABS.COM; MBERRY@SAMMONS-BERRY.COM; ABAINBRIDGE@SEALIMITED.COM; MMULCAHY@SEALIMITED.COM; JOH@WACOATTORNEYS.COM; BWB.SPCI@YAHOO.COM; KELLY.COOK@TCEQ.TEXAS.GOV; KATHLEEN.DECKER@TCEQ.TEXAS.GOV; SUSAN.JABLONSKI@TCEQ.TEXAS.GOV; TEAMKELLOGG@GMAIL.COM; DVANSOES@TCEQ.STATE.TX.US; BLJ@OTSC.TAMU.EDU; JAG@JAG-LAWFIRM.COM; CPEEL@JAG-LAWFIRM.COM; ASMITH@JAG-LAWFIRM.COM; JHERRERA@HERRERALAW.COM; JAUTY@THOMPSONCOE.COM; BMARTIN@THOMPSONCOE.COM; MPARISH@TTSSLAWFIRM.COM; KTAUNTON@TTSSLAWFIRM.COM; MARKUNDERWOOD@MARKUNDERWOOD.COM; FREDWILSON@UP.COM; FWEHMEYER@USBATTERY.COM; JOHNNIE.BANKS@CSB.GOV; DANIEL.HOROWITZ@CSB.GOV; CHRIS.LYON@CSB.GOV; RICHARD.CARY@HQ.DHS.GOV; PAUL.GILBREATH@HQ.DHS.GOV; BRIAN.M.HOBACK@USDOJ.GOV; MICHAEL.REYES@USDOJ.GOV; SCHOEN.MICHAEL@DOL.GOV; DIAZ.ALVIN.T@DOL.GOV; Quinones, Edwin; Sims, Duane; Webster, Susan; PCARPER@VFENGR.COM
Cc: Matthew Jeske
Subject: West Fertilizer week summary

All,

The inspection for the week of July 8, 2013 was completed on the afternoon of Friday July 12, 2013. The site is now closed to all interested parties until further notice.

I would like to thank all of the people who participated last week. Your cooperation and willingness to work with a flexible schedule helped make this a successful inspection. The following is a summary of events.

Monday, July 8, 2013

- Crane Engineering escorted Don Jones of Houston Grain Trading, Cotter Stringer of Equalizer Inc., Bennie Mcilveen of Fairmont Specialties and Nestor Camara of McDowell Owens out to the railcar containing the AN. The purpose for the visit was to visually inspect the material to determine if Mr. Cotter's company would be able to process it.

Tuesday, July 9, 2013

- All parties were given free access of the West Fertilizer property to inspect, photo document, measure and identify artifacts.
- With the agreement of the parties present, the anhydrous ammonia nurse tanks containing product were identified and removed from the site. These tanks were taken to Equalizer's facility located in Waco, TX where the product was weighed and unloaded. This process continued into Wednesday. Scale tickets from this event will be posted.
- Nurse tanks that were empty were moved to the extreme south portion of West Fertilizer's property to clear a staging area and parking lot for the investigators.
- A steering committee was held at the KC Hall in West. The final method of AN sampling was discussed and approved during this meeting. The meeting was led by Mr. Camara who sent out an email summarizing the minutes.
- Grones Environmental began removing the corn and milo from the area east of Jerry Mashek Road. Scale tickets and shipping manifests provided by Grones and will be posted on the project website. This process continued throughout the week and required approximately 20 truckloads to complete.

Wednesday, July 10, 2013

- All parties were given free access of the West Fertilizer property to inspect, photo document, measure and identify artifacts.
- The AN in the railcar was sampled per the protocol agreed upon by the steering committee. This process was videotaped by Crane Engineering.
- Samples were taken of material in the bin area on the west side of the fertilizer seed building.
- Samples were taken from two 3,000-gallon poly tanks that were labeled 6005. These tanks were located on the southwest area of the property.
- Samples were taken from the liquid feed tank at the north end of the property along Jerry Mashek Road.
- The above mentioned sampling was directed by Dr. Andrew Armstrong and facilitated by Crane personnel. The samples collected were retained by Dr. Armstrong. Crane Engineering has a receipt from the transfer of material and will post a copy of it on the project website.

Thursday, July 11, 2013

- All parties were given free access of the West Fertilizer property to inspect, photo document, measure and identify artifacts.
- Crane Engineering started tagging and collecting identified artifacts. The collected artifacts were placed in a storage container and locked. This process continued through Friday. A list of the collected artifacts and associated photos will be posted on the project website.
- The removal of the AN was started. This process was directed by Dr. Butch Beardsley of United Professional Services and facilitated by Mr. Ricky Grones of Grones Environmental. The process was videotaped by Crane Engineering. This process continued through Friday. The AN collected from the car was taken to Equalizer Inc. in Waco where it was converted into liquid fertilizer. Weigh tickets and shipping manifests from this activity will be posted on the project website.
- The investigative parties agreed to allow Grones Environmental to relocate the dirt

that had been taken from West Fertilizer's property after the event. It has been on the private property on the east side of Jerry Mashek Road and will now be moved to the large corn tank pad on the north side of the crater on West Fertilizer property.

Friday, July 12, 2013

- All parties were given free access of the West Fertilizer property to inspect, photo document, measure and identify artifacts.
- The AN removal from the rail car continued to completion. At this time it is our intention to leave the empty rail car in place until the completion of the site investigation. There are areas in the car that have a solid layer of material. This solid material could not be removed by the vacuum. The thickness of these layers vary from fractions of an inch to several inches thick. The material in these areas will either need to be jackhammered out or melted with water. At this time the plan is to leave this process to the salvaging contractor.
- The AN on the ground around the railcar was collected and placed into an open top dump box. This material was taken to the local grain co-op in West and weighed. The scale tickets from this process will be posted on the project website. Mr. Russell Scott of the Office of the Texas State Chemist escorted the material to the scale and back to West Fertilizer. This material will be turned into the pile of solid fertilizer located at the south end of West Fertilizer's property adjacent to the rail line.
- A sample of grain found next to the rail was collected by Crane personnel and retained. This sample was placed into storage with the other artifacts and will be listed on the artifact list.

This completed the scheduled activities and concluded this inspection.

Upcoming events for the week of July 15, 2013

- Grones Environmental will be moving dirt from the area east of Jerry Mashek Road back onto West Fertilizer property.
- Houston Grain Trading will begin removal of the debris on the east side of Jerry Mashek Road.

Crane Engineering will maintain control of the site and provide armed security. Control of the material east of Jerry Mashek Road has been given to Mr. Don Jones of Houston Grain Trading. It is our understanding that the material will be immediately hauled away for scrap.

Please check the website for project updates. As always, feel free to email or call with any questions or concerns.

Very best regards,

Charles G. Keith, P.E.
Crane Engineering
2355 Polaris Lane North
Plymouth, MN 55447
(763) 557-9090
(800) 538-2797
Fax (736) 557-0710
chuckk@CraneEngineering.com

www.CraneEngineering.com

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