To: Yeh, Alice[Yeh.Alice@epa.gov]
From: Juan_Somoano@oxy.com
Sent: Tue 1/24/2017 3:01:47 PM
Subject: RE: On-site vs off-site

Understood. Thanks!

From: Yeh, Alice [mailto:Yeh.Alice@epa.gov]
Sent: Tuesday, January 24, 2017 9:01 AM
To: Somoano, Juan P <Juan_Somoano@oxy.com>
Subject: On-site vs off-site

Attached are the Hudson River PCB Superfund Site cases that ruled that a sediment processing facility located 1.4 miles from the Hudson River could be interpreted by EPA as being on-site (one is the original ruling, the other a ruling on appeal).

Note that this is a Second Circuit decision, and Passaic is in the Third Circuit (which, last we checked, had no case law on this matter). Also note in the appeal that there was another case out west that found that 4 miles was too far from the Site to be considered on-site.

This information is not definitive (what on the Passaic is?), but should be kept in mind when considering locations for the sediment process facility.