To: Pemberton, Scott[Pemberton.Scott@epa.gov]; Hoefer, David[Hoefer.David@epa.gov]
From: Peterson, Mary
Sent: Tue 3/10/2015 3:57:57 PM
Subject: DRAFT reply to Rita Connor re: Dico redevelopment

Scott and Dave – please review this and let me know if you have any comments so I can reply to Rita as soon as possible. Thanks!

Rita,

Thank you for the additional information regarding the Riverpoint West project. We appreciated the updates you provided during our call on February 19. It certainly sounds like redevelopment activity has picked up east of Dico, and that interest in the Dico property remains high.

As you know, EPA is generally supportive of redevelopment of the Dico property as long as protective remedies remain in place over the long term. Our primary interest and obligation is to protect human health and the environment from the contamination that remains at the Dico property.

You have previously indicated a willingness to facilitate a meeting between EPA, Dico, and interested developers to explore options for settlement and transfer of the property to a new owner. Due to ongoing litigation between EPA and Dico, the Department of Justice (DOJ) will need to participate in any settlement discussions. We ask that you contact Dico to first ascertain whether they are willing to have such discussions, and then we can determine how best to proceed from there. I have listed below the contact information for Dico legal counsel.

For purposes of the current litigation, Dico is represented by:

Steven Locher, Belin McCormick (Des Moines): 515-283-4610, shlocher@belinmccormick.com

Joel Bertocchi, Hinshaw & Culbertson (Chicago): 312-704-3130, JBertocchi@hinshawlaw.com

Tom Lupo, Hinshaw & Culbertson (Chicago): 312-704-3138, TLupo@hinshawlaw.com

Sergio Acosta, Hinshaw & Culbertson (Chicago) 312-623-3530, SAcosta@hinshawlaw.com

Given the scope of redevelopment activity planned and ongoing in the area around Dico, it may be beneficial for EPA to meet with you (in advance of any settlement discussions) in order to fully grasp the city's vision for the area. EPA is willing to travel to Des Moines for that purpose. Please let me know if you would like to pursue that.

I look forward to hearing from you.

Mary P. Peterson, Acting Deputy Director

Superfund Division

EPA Region 7

11201 Renner Blvd.

Lenexa, KS 66219

913-551-7882 - desk

816-398-3945 - mobile

From: Conner, Rita A. [mailto:RAConner@dmgov.org]
Sent: Friday, March 06, 2015 1:08 PM
To: Peterson, Mary; Pemberton, Scott
Subject: Call Follow Up

Mary, Scott-

Thanks for the recent conversation. I am attaching one document to better describe current and proposed activity in the vicinity of the Dico site. This is the current Sherman Associates proposal for the Riverpoint West development, east of the Dico site.

We just concluded a 2 day series of conversations with the various additional entities that are interested in the redevelopment of the Dico site vicinity. This should allow us to develop expanded visual conceptual scenarios to better describe the other components (athletic stadiums, amphitheater, solar panel fields, etc.) in discussion. We remain very excited about these ideas and on communicating them and other thoughts to the owner.

I have not yet reached out to the owner; was there a contact name that you planned to send? Otherwise I will go back to the environmental engineer, Gazi George, to reach out.

Rita Conner

Economic Development Coordinator

CITY OF DES MOINES

OFFICE OF ECONOMIC DEVELOPMENT

400 Robert D. Ray Drive Des Moines, Iowa 50309

515-283-4019 raconner@dmgov.org