Message

From: Parker, Robert [Parker.Robert@epa.gov]
Sent: 3/17/2015 2:54:37 PM
To: Chalfant, Mark [Chalfant.Mark@epa.gov]; Cirian, Mike [Cirian.Mike@epa.gov]; Wilder, Scott [Wilder.Scott@epa.gov]
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

I am available most of this week. My Outlook Calendar is up to date.

Mike and I split up the draft AOC. I'm still working on my part and I believe the same is true for Mike.

Rob

From: Chalfant, Mark
Sent: Tuesday, March 17, 2015 8:52 AM
To: Cirian, Mike; Parker, Robert; Wilder, Scott
Subject: FW: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

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Attorney-Client Communication

Mike, Rob and Scott,
I am back in the office and would like the team to re-group as to next steps, including the status of the draft AOC and workplan. Are you available to meet this week to discuss next steps before I schedule an external call per Mr. Otis' request below?
Thanks,
Mark
303-312-6177

From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Tuesday, March 17, 2015 8:48 AM
To: Chalfant, Mark
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mark,

I wanted to give you a day to dig out after returning from leave before following up. I wanted to see if we could schedule a call or meeting to discuss next steps with regard to the site. Please let me know your availability.

Best regards,

Andrew

From: Chalfant, Mark [mailto:Chalfant.Mark@epa.gov]
Sent: Tuesday, February 24, 2015 3:50 PM
To: Otis, Andrew D.
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mr. Otis:

Thank you for your follow-up message. In response to your request that the EPA defer proposing the site for inclusion on the National Priorities List (NPL), we will relay your request to the EPA Headquarters officials responsible for proposing the site on the NPL.

The EPA's Denver regional office completed an initial site assessment in April, 2014 to evaluate potential or confirmed releases of hazardous substances that may pose a threat to human health or the environments. Based on available information, we believe that listing is appropriate and the best vehicle for addressing the site. Governor Steve Bullock and United States Senator Jon Tester are on record in support of listing. As I noted in my previous email, the proposed listing will be open for public comment.

There will be ample opportunity for the EPA and Columbia Falls Aluminum Company to discuss next steps, including an Administrative Order on Consent to study the nature and extent of contamination (Remedial Investigation) and evaluate potential cleanup alternatives (Feasibility Study). The EPA welcomes the company's desire to enter into an AOC, and I look forward to working with you.

-Mark

From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Monday, February 23, 2015 2:40 PM
To: Chalfant, Mark
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Dear Mark,

Thanks for your response and notice about a potential proposed NPL listing for the site. We would request that EPA hold off on proposing to list the site on the NPL until we have had a chance to meet and discuss an AOC for performing site assessment. CFAC believes that the site can be addressed effectively through agreements with EPA and need not be proposed to be listed on the NPL. We look forward to meeting with you but are also available to meet with others from EPA during the period on which you will be on leave.

Best regards,

Andrew

From: Chalfant, Mark [mailto:Chalfant.Mark@epa.gov]
Sent: Monday, February 23, 2015 4:25 PM
To: Otis, Andrew D.
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mr. Otis:

Thank you for your message. I will be out of the office on leave for the next two and a half weeks returning to the office on Monday, March 16th. I appreciate your follow-up, and will contact you upon my return to the office in mid-March to discuss next steps on the Administrative Order on Consent for the above-referenced site.

I also wanted to let you know that the EPA may propose the above-referenced site for inclusion on the National Priorities List (NPL) as early as March, 2015. Public comment on the proposed NPL listing will be open for sixty days following publication of the proposed listing in the Federal Register.

-Mark

Mark A.R. Chalfant
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Office of Enforcement, Compliance and Environmental Justice | U.S. EPA Region 8
303.312.6177 | chalfant.mark@epa.gov

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From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Monday, February 23, 2015 8:57 AM
To: Chalfant, Mark
Subject: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Dear Mark,

Following up on our telephone call in November, 2014, CFAC would like to reiterate its desire to begin discussions about entering into an Administrative Order On Consent with the EPA regarding assessment activities at the above referenced site. During our November telephone call, you had said that you thought that such discussions would be a logical next step and would contact me with regard to scheduling. I have not heard from you and thus wanted to follow up and begin that scheduling discussion.

Please feel free to contact me if you have any questions and I look forward to hearing from you regarding when we may schedule a call or in person meeting to discuss next steps with regard to an AOC.

Many thanks and best regards,

Andrew Otis

Andrew D. Otis
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