Message

From: Chergo, Jennifer [Chergo.Jennifer@epa.gov]
Sent: 2/7/2019 7:46:16 PM
To: Chalfant, Mark [Chalfant.Mark@epa.gov]; Joffe, Brian [Joffe.Brian@epa.gov]
CC: Sutin, Elyana [Sutin.Elyana@epa.gov]; Aviles, Jesse [Aviles.Jesse@epa.gov]
Subject: RE: Checking in on OU1

From: Chalfant, Mark
Sent: Thursday, February 7, 2019 7:46 AM
To: Joffe, Brian <Joffe.Brian@epa.gov>; Chergo, Jennifer <Chergo.Jennifer@epa.gov>
Cc: Sutin, Elyana <Sutin.Elyana@epa.gov>; Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: RE: Checking in on OU1

Great, thank you very much for checking w/ OGC, Brian. Mark

Mark A.R. Chalfant
Senior Enforcement Attorney | Office of Enforcement, Compliance and Environmental Justice | U.S. EPA Region 8
Work: 303.312.6177 | Fax: 303-312-6953 | chalfant.mark@epa.gov

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From: Joffe, Brian
Sent: Thursday, February 7, 2019 7:12 AM
To: Chalfant, Mark <Chalfant.Mark@epa.gov>; Chergo, Jennifer <Chergo.Jennifer@epa.gov>
Cc: Sutin, Elyana <Sutin.Elyana@epa.gov>; Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: Re: Checking in on OU1

Mark, you're very welcome. I already have some good information to share!

A shutdown should not affect the public's ability to submit comments (it did not for this most recent one) so if they are submitted during shutdown then they will be collected.

There is no decision by the agency to extend all public comment periods and OGC was not aware of EPWs request for EPA to do so. The decision to extend a public comment period should be done on a case-by-case basis and would require some action on the part of the agency to do so and to notify the public of its decision, most likely through a FRN.

Please let me know if either of you have any additional questions.

Thanks.

Brian

Sent from my iPhone

On Feb 6, 2019, at 2:10 PM, Chalfant, Mark <Chalfant.Mark@epa.gov> wrote:

Brian,
Thank you very much for your follow-up. Much appreciated.
Mark

Mark A.R. Chalfant
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From: Joffe, Brian
Sent: Wednesday, February 6, 2019 2:09 PM
To: Chalfant, Mark <Chalfant.Mark@epa.gov>; Chergo, Jennifer <Chergo.Jennifer@epa.gov>
Cc: Sutin, Elyana <Sutin.Elyana@epa.gov>; Aviles, Jesse <Aviles.Jesse@epa.gov>
Subject: RE: Checking in on OU1

Hi Mark and Jennifer.
I'm not sure the answer to that question either or the status of the EPW request, but I've contacted OGC and will pass along what I find out.

Brian Joffe
Deputy Regional Counsel
EPA Region 8
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From: Chalfant, Mark
Sent: Wednesday, February 6, 2019 10:14 AM
To: Chergo, Jennifer <Chergo.Jennifer@epa.gov>; Aviles, Jesse <Aviles.Jesse@epa.gov>
Cc: Joffe, Brian <Joffe.Brian@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>
Subject: RE: Checking in on OU1

Jennifer,
I don't know the answer to that question, but I'm copying Brian and Elyana in ORC in case they know. I am aware that members of Senate EPW have recently requested extension of EPA public comment periods due to the most recent shutdown, but I don't know whether or how the agency has responded.
Mark

Link:
https://www.duckworth.senate.gov/news/press-releases/duckworth-and-carper-lead-epw-democrats-in-requesting-extension-of-epa-public-comment-periods-due-to-shutdown

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From: Chergo, Jennifer
Sent: Wednesday, February 6, 2019 10:04 AM
To: Aviles, Jesse <Aviles.Jesse@epa.gov>; Chalfant, Mark <Chalfant.Mark@epa.gov>
Subject: FW: Checking in on OU1

Mark, do you happen to know the answer to this question about public comment periods during shutdowns?

From: Kevin Beaty <kbeaty@denverite.com>
Sent: Tuesday, February 5, 2019 12:48 PM
To: Chergo, Jennifer <Chergo.Jennifer@epa.gov>
Subject: Re: Checking in on OU1

Thanks! I'll keep my eye out for an email about that.

I'd be curious to know: if the NOID is filed and a public comment period begins, and then the government shuts down again: will comments still be collected? Is that period extended?

Thanks!
KB

On Tue, Feb 5, 2019, 11:56 Chergo, Jennifer <Chergo.Jennifer@epa.gov wrote:

> Hey Kevin. Mainly, I can tell you that we are all playing major catch up!
>
> Looks like the Notice of Intent to Delete for the VB/I-70 Operable Unit 1, residential soils, is finally going to publish in the federal register this week. I will let you know when it does. I'm in a meeting all the rest of the day, but will be in all day tomorrow and the rest of the week.
>
> -jc
>
> **From:** Kevin Beaty <kbeaty@denverite.com>
> **Sent:** Friday, February 1, 2019 10:19 AM
> **To:** Chergo, Jennifer <Chergo.Jennifer@epa.gov>
> **Subject:** Checking in on OU1
>
> Hey Jennifer,

How's it going? Wanted to check in with you on Vasquez now that the gov't is back open, for now. Would love to know if you can talk about how this current instability plays a role in your regional work and/or in the Denver Superfund stuff.

Thanks!
KB

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720.441.5092

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