Message

From: Mullin, Michelle [Mullin.Michelle@epa.gov]
Sent: 5/3/2019 8:46:50 PM
To: McArthur, Lisa [McArthur.Lisa@epa.gov]
Subject: FW: SVEC (Meeting follow up)

FYI-

Michelle Mullin | PCB Coordinator | pronouns: she, her
U.S. Environmental Protection Agency | Region 10
Office of Air and Waste | Ste 155
p: 206.553.1616 | mullin.michelle@epa.gov

From: Peachey, Robert
Sent: Friday, May 3, 2019 11:07 AM
To: Mullin, Michelle <Mullin.Michelle@epa.gov>; Moore, Kendall <moore.kendall@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: SVEC (Meeting follow up)

Hello, everyone:

I just spoke with Mike Kitson, one of the co-counsels for SVEC. Instead of a protective order for the PCB barrel in storage, the plaintiffs sent SVEC a litigation hold letter shortly after filing the complaint, instructing SVEC not to destroy the contents of the barrel as it might be relevant to the litigation. SVEC's attorneys complied with that request. Even so, apparently there has been recent testing of the PCB waste (almost certainly since the last call we had with Mr. Mannix), and now that all parties have the results, SVEC is going to advise the plaintiffs that they intend to dispose of the PCBs properly. Unless the plaintiffs have any objections – in which case SVEC would get us involved – Ex. 5 AC/DP Ex. 5 AC/DP Mr. Kitson said he would follow up with me sometime next week. I'll forward the email once I get it.

He also mentioned that the plaintiffs might try to depose Michelle and Kendall. I told him that would be highly unlikely to happen and referred him to the *Touhy* regulations at 40 C.F.R. Part 2, Subpart C.

--Bob

Robert M. Peachey
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From: Mullin, Michelle
Sent: Friday, May 03, 2019 11:39 AM
To: Moore, Kendall <moore.kendall@epa.gov>; Peachey, Robert <peachey.robert@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: SVEC (Meeting follow up)

Yes, thank you I was planning to ask you all today if you had heard anything yet, because I hadn't.

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From: Moore, Kendall
Sent: Friday, May 3, 2019 7:33 AM
To: Peachey, Robert <peachey.robert@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>
Subject: RE: SVEC (Meeting follow up)

Thanks Bob

From: Peachey, Robert
Sent: Friday, May 03, 2019 9:30 AM
To: Moore, Kendall <moore.kendall@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>
Subject: RE: SVEC (Meeting follow up)

Yes, for sure – I will reach out to their attorneys, I haven't heard anything.

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From: Moore, Kendall
Sent: Friday, May 03, 2019 9:25 AM
To: Peachey, Robert <peachey.robert@epa.gov>; Ramanauskas, Peter <ramanauskas.peter@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>
Subject: Re: SVEC (Meeting follow up)

Hey folks. Is it time for a follow up on this?

From: Mannix, John <mannixj@monroe.wednet.edu>
Sent: Wednesday, April 10, 2019 2:36 PM
To: Moore, Kendall
Cc: Piplic, Devlin; Peachey, Robert; Mullin, Michelle; Ramanauskas, Peter
Subject: Re: SVEC (Meeting follow up)

Thank you, Kendall. As previously discussed many of the answers to your questions will have to come from our Director of Facilities, Devlin Piplic, Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) He should be returning on April 16th, and we will get you answers as quickly after that as is possible.

Regards,

John Mannix

Assistant Superintendent, Operations

D 360.804.2579 | T 360.804.2570

200 E. Fremont St. Monroe, WA 98272

**Please note that I strive to respond to all emails within 3 business days. If your inquiry or request cannot wait please call the number listed above for assistance.

On Wed, Apr 10, 2019 at 12:04 PM Moore, Kendall <moore.kendall@epa.gov> wrote:

> Hi John, thanks for meeting with us yesterday. The information you provided was very helpful. To follow up, below are the questions we'd like you and Devlin to answer. We hope to get a quick response but let us know how much time you think you'll need. We look forward to working with you to resolve any outstanding PCB issues in a timely fashion.
>
> Please provide the following:
>
> - contact information for the attorneys representing the school district
> - protective order or similar court document that restricted disposal of PCB drum

- explanation of what's in the drum, whether the material came from SVEC or not, if it came from SVEC then where specifically the material came from, when was the PCB material discovered, when collection started, when collection ended, why you were waiting for the barrel to fill- what other PCB activities are you engaged in that you were expecting to accumulate, why it's marked 12/18, description of where its stored (does area have roof, walls, continuous floor without drains), is area marked with PCB label (please provide photos)
- Explain where the sample from the transportation shed was collected. The letter we have states it came from a lighting fixture base plate and presumes it was from a ruptured FLB used at SVEC and later stored in the shed. The question EPA has is where in the shed was this sample found?
- Describe whether there are PCB FLBs in use in the transportation shed or not, if so, is there any evidence of leaking
- Confirm whether you are following the MMIP incorporated into the approval, particularly the housekeeping provisions.

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