Message

From: Peachey, Robert [peachey.robert@epa.gov]
Sent: 9/25/2019 2:32:21 PM
To: Moore, Kendall [moore.kendall@epa.gov]; Mullin, Michelle [Mullin.Michelle@epa.gov]
CC: Ramanauskas, Peter [ramanauskas.peter@epa.gov]
Subject: RE: Bard v. Monroe School District/Monsanto: Transport of Light Fixtures from MSD Transportation Shed [IWOV-pdx.FID4311645]

Ex. 5 AC/DP

Robert M. Peachey
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From: Moore, Kendall <moore.kendall@epa.gov>
Sent: Wednesday, September 25, 2019 9:29 AM
To: Peachey, Robert <peachey.robert@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>
Cc: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: RE: Bard v. Monroe School District/Monsanto: Transport of Light Fixtures from MSD Transportation Shed [IWOV-pdx.FID4311645]

Ex. 5 AC/DP The TA is on my to-do list for today.

From: Peachey, Robert <peachey.robert@epa.gov>
Sent: Tuesday, September 24, 2019 5:40 PM
To: Mullin, Michelle <Mullin.Michelle@epa.gov>; Moore, Kendall <moore.kendall@epa.gov>
Cc: Ramanauskas, Peter <ramanauskas.peter@epa.gov>
Subject: FW: Bard v. Monroe School District/Monsanto: Transport of Light Fixtures from MSD Transportation Shed [IWOV-pdx.FID4311645]

FYI – Monsanto's attorney following up – I have comments from Peter on the emails **Ex. 5 AC/DP** so let me know what you two think.

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From: Campbell, Jennifer L. <JCampbell@SCHWABE.com>
Sent: Tuesday, September 24, 2019 5:20 PM
To: Peachey, Robert <peachey.robert@epa.gov>
Subject: Re: Bard v. Monroe School District/Monsanto: Transport of Light Fixtures from MSD Transportation Shed [IWOV-pdx.FID4311645]

Hello Mr. Peachey,

I am following up to see if you have heard back from your PCB experts yet or if we can provide you any additional information.

Thank you,

Jennifer

On Aug 27, 2019, at 1:04 PM, Peachey, Robert <peachey.robert@epa.gov<mailto:peachey.robert@epa.gov>> wrote:

Dear Ms. Campbell:

Thanks for your message. Your request is under review with our PCB experts at the Agency, and we will get back to you as soon as we can. If you have any questions or concerns in the meantime, please call me.

--Bob Peachey

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From: Campbell, Jennifer L. <JCampbell@SCHWABE.com<mailto:JCampbell@SCHWABE.com>>
Sent: Monday, August 19, 2019 11:57 AM
To: Peachey, Robert <peachey.robert@epa.gov<mailto:peachey.robert@epa.gov>>
Subject: Bard v. Monroe School District/Monsanto: Transport of Light Fixtures from MSD Transportation Shed [IWOV-

pdx.FID4311645]

Dear Mr. Peachey,

You and I spoke previously regarding the light fixtures and associated items that are currently being stored in the Monroe School District transportation shed. My firm represents Monsanto Company, Solutia Inc. and Pharmacia LLC in litigation involving the Sky Valley Education Center (a school in the Monroe School District). Because the light fixtures and associated items are evidence in this ongoing litigation, my clients requested that these items be preserved and not destroyed. Understanding the need to remove these items from the transportation shed, my firm has coordinated with an industrial hygienist, and that industrial hygienist in turn has coordinated with a vendor who specializes in the transport of chemicals and/or hazardous materials, so that we can properly remove and store these materials until the conclusion of the litigation involving this school. You asked that I provide additional information regarding the removal and storage of these materials, so that we can be approved to move forward to remove and store these materials.

Below is the information provided to me by the industrial hygienist regarding removal and storage of the light fixtures and associated items that are currently being stored in the Monroe School District transportation shed:

Transport and Storage of Light Fixtures and Associated Items from Monroe School

"We/Veritox, J.S. Held, will contract with company to properly package and transport the light fixtures and associated items (approximately 8, ~48" aluminum light fixture shrouds and 2 bags of apparent trash) with required transportation documents. The vendor (Veolia, Inc.) is licensed and knowledgeable in the proper transport and storage of items designated as hazardous waste including PCBs.

We will schedule with the vendor and school a day and time to package and remove the items from the school equipment maintenance shed. The items will be packaged in appropriate sealed containers prior to removal. They are currently wrapped in plastic and rest in an open 55-gallon metal drum.

The items will be transported by truck to the Veritox J.S. Held, Inc., office in Redmond, WA, to be stored in transport packaging (plastic-wrapped in sealed drum or drums) as evidence in the locked and security-monitored warehouse at this location. The storage conditions are indoors, dry and secure, and there is no potential for items to be released or to come in contact with soil or water.

At the conclusion of the need to hold these items, they will be disposed of in accordance with laws via licensed carrier (Veolia, Inc.) to an appropriate disposal facility."

Mr. Peachey, if there is any additional information that I can provide to you, please let me know and I will be happy to do so.

Best regards,

Jennifer Campbell

Schwabe Williamson & Wyatt

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