Message

From: Wilson, Karl [Wilson.Karl@epa.gov]
Sent: 11/25/2019 2:51:33 PM
To: Peterson, Mary [Peterson.Mary@epa.gov]; Hovis, Jennifer [Hovis.Jennifer@epa.gov]; Ammon, Doug [Ammon.Doug@epa.gov]
CC: Juett, Lynn [Juett.Lynn@epa.gov]; Fisher, Susan [Fisher.Susan@epa.gov]
Subject: RE: Congressional regarding Vogel Paint
Attachments: Diamond Vogel Response Ltr_AL-20-000-1165-KDWedits.docx

Hi Mary,

The content of the draft response letter looks great! It really sets the tone that the EPA is eager to collaborate with all key stakeholders yet stand firm behind our core principles/mission. Please see my minor comment/suggestion in the attached document.

Thanks.

-Karl

From: Peterson, Mary <Peterson.Mary@epa.gov>
Sent: Monday, November 25, 2019 8:27 AM
To: Hovis, Jennifer <Hovis.Jennifer@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Wilson, Karl <Wilson.Karl@epa.gov>
Cc: Juett, Lynn <Juett.Lynn@epa.gov>; Fisher, Susan <Fisher.Susan@epa.gov>
Subject: RE: Congressional regarding Vogel Paint

Good call – I will check with our Congressional liaison as you suggest. I think we could easily modify the letter to the Senator, and then send a separate letter to Vogel with a copy of our letter to the Senator.

From: Hovis, Jennifer <Hovis.Jennifer@epa.gov>
Sent: Monday, November 25, 2019 7:08 AM
To: Peterson, Mary <Peterson.Mary@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Wilson, Karl <Wilson.Karl@epa.gov>
Cc: Juett, Lynn <Juett.Lynn@epa.gov>; Fisher, Susan <Fisher.Susan@epa.gov>
Subject: RE: Congressional regarding Vogel Paint

Thanks for sharing the draft, Mary. I'll be sure to get any comments in there today. But I did want to mention the approach to the response – it seems to me that we need to respond to the Senator as the control, not the company. Obviously a letter to the company also makes sense, but I don't think it's the task at hand. I agree that it isn't really clear on the control coversheet, and maybe the region has seen other examples where the ask is to do what the Senator requests, rather than respond to the Senator?

I suggest reaching out to your congressional liaison to confirm, so that we don't go too far down a road and have to pivot with the holiday and whatnot.

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JEN HOVIS
Chief, Construction & Post Construction Management Branch (CPCMB)
Office of Superfund Remediation & Technology Innovation (OSRTI)
desk: 703.603.8888 | cell: 571.814.0303 | hovis.jennifer@epa.gov

From: Peterson, Mary <Peterson.Mary@epa.gov>
Sent: Friday, November 22, 2019 2:13 PM
To: Hovis, Jennifer <Hovis.Jennifer@epa.gov>; Ammon, Doug <Ammon.Doug@epa.gov>; Wilson, Karl <Wilson.Karl@epa.gov>
Cc: Juett, Lynn <Juett.Lynn@epa.gov>; Fisher, Susan <Fisher.Susan@epa.gov>
Subject: FW: Congressional regarding Vogel Paint

Hi Karl, Jen, and Doug,

I am providing a draft response to the Congressional inquiry we received regarding the Vogel Paint and Wax Site. This was the subject of our discussion earlier this week – thanks for your time by the way.

Please review the document and provide your comments using comment boxes in the document. The letter must be signed by our RA and sent out by next Friday. Given Holiday leave plans, I am asking for your comments by COB Monday if possible so that we can issue the letter as early in the week as possible. Thanks for your help and continued support on this project (and many others).

From: Pessetto, Jared <Pessetto.Jared@epa.gov>
Sent: Thursday, November 21, 2019 9:12 AM
To: Juett, Lynn <Juett.Lynn@epa.gov>; Fisher, Susan <Fisher.Susan@epa.gov>; Mehta, Sandeep <mehta.sandeep@epa.gov>; Hoefer, David <Hoefer.David@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>; Hayes, Scott <Hayes.Scott@epa.gov>
Subject: RE: Congressional regarding Vogel Paint

Hi all:

Attached please find a draft response letter addressing concerns expressed by Diamond Vogel to Senator Ernst. The CMS instruction is unclear as to who the response should be directed, although the senator's cover letter requests "that EPA contacts the company in a timely fashion." Following that lead, I've drafted this in direct response from the regional administrator to Diamond Vogel's general counsel Meika Vogel.

The letter does not engage in substantive policy particulars aside from general reference, instead focusing on Diamond Vogel's complaints relating to interagency coordination and the five-year review process. The aim is not to argue regulation and guidance in writing but to begin a constructive dialogue about those issues going forward.

Please provide recommendations and revisions in the document itself, which is accessible for collaboration in SharePoint. Feel free to share with OSRTI's contacts for input as well. I will be leaving the country on Saturday morning but am glad to discuss questions or alternative approaches before then. If needed, I'm also glad to arrange a briefing for Jim before his signature is due next Friday, November 28.

Thanks,
Jared

Jared Pessetto
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Office of the Regional Administrator
U.S. EPA, Region 7
(913) 551-7793
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From: Juett, Lynn <Juett.Lynn@epa.gov>
Sent: Friday, November 15, 2019 10:15 AM

To: Pessetto, Jared <Pessetto.Jared@epa.gov>
Subject: FW: Congressional regarding Vogel Paint

Thank You,

Lynn M Juett

Chief, Remediation Branch
Superfund and Emergency Management Division
US EPA Region 7
11201 Renner Blvd, Lenexa, KS 66219
913-551-7883 (desk)
913-948-1129 (cell)
Juett.lynn@epa.gov

From: Juett, Lynn
Sent: Friday, November 15, 2019 9:39 AM
To: Garufi, Katherine <Garufi.Katherine@epa.gov>; Hovis, Jennifer <Hovis.Jennifer@epa.gov>; Wilson, Karl <Wilson.Karl@epa.gov>; Ammon, Doug (Ammon.Doug@epa.gov) <Ammon.Doug@epa.gov>; Fisher, Susan <Fisher.Susan@epa.gov>
Cc: Mehta, Sandeep <mehta.sandeep@epa.gov>
Subject: FW: Congressional regarding Vogel Paint

All – I wanted to share with you the attached congressional inquiry regarding the Vogel Paint site in Orange City, IA. Region 7 would like to have a discussion with you next week to discuss a few of the technical/policy aspects brought up in the inquiry – specifically EPA's policy/practices on sharing draft Five Year Review Reports with PRPs and then of course the groundwater point of compliance issue.

I will send a separate email with a link to the latest Five Year Review for Vogel Paint which is referenced frequently in the inquiry. In that email I will also attach files of the GW ROD and ESDs.

Thank You,

Lynn M Juett

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Juett.lynn@epa.gov

From: Hays, Marilyn <hays.marilyn@epa.gov>
Sent: Thursday, November 14, 2019 4:26 PM
To: Juett, Lynn <Juett.Lynn@epa.gov>
Cc: Nelson, Jonathan <nelson.jonathan@epa.gov>
Subject: Congressional regarding Vogel Paint