Message

From: Roberts, Colin@DTSC [Colin.Roberts@dtsc.ca.gov]
Sent: 3/7/2020 12:00:23 AM
To: Leong, Denise [Leong.Denise@epa.gov]; Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]
CC: Koenig, Jack@ARB [jack.koenig@arb.ca.gov]; Dennis Beck [Dennis.Beck@doj.ca.gov]; Margarita Padilla [Margarita.Padilla@doj.ca.gov]; Harrison Pollak [Harrison.Pollak@doj.ca.gov]; Andrew Wiener [Andrew.Wiener@doj.ca.gov]; Mifsud, Ken, CEPD [ken.mifsud@acgov.org]; Glikman, Amilia@DTSC [Amilia.Glikman@dtsc.ca.gov]; Cho, Christopher@DTSC [Christopher.Cho@dtsc.ca.gov]; Peesapati, Suma@EPA [Suma.Peesapati@calepa.ca.gov]
Subject: RE: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

Sounds good. I believe it will just be me, but I'll talk to some of the others cc'd here and get back to you ASAP.

Thanks,
Colin

From: Leong, Denise <Leong.Denise@epa.gov>
Sent: Friday, March 6, 2020 3:56 PM
To: Shepherdson, Melanie <Shepherdson.Melanie@epa.gov>; Roberts, Colin@DTSC <Colin.Roberts@dtsc.ca.gov>
Cc: Koenig, Jack@ARB <jack.koenig@arb.ca.gov>; Dennis Beck <Dennis.Beck@doj.ca.gov>; Margarita Padilla <Margarita.Padilla@doj.ca.gov>; Harrison Pollak <Harrison.Pollak@doj.ca.gov>; Andrew Wiener <Andrew.Wiener@doj.ca.gov>; Mifsud, Ken, CEPD <ken.mifsud@acgov.org>; Glikman, Amilia@DTSC <Amilia.Glikman@dtsc.ca.gov>; Cho, Christopher@DTSC <Christopher.Cho@dtsc.ca.gov>; Peesapati, Suma@EPA <Suma.Peesapati@calepa.ca.gov>
Subject: RE: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

Great, Melanie and I can give you a call. If any others would like to join the call, I can set up a conference call. Thanks, Denise

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From: Shepherdson, Melanie <Shepherdson.Melanie@epa.gov>
Sent: Friday, March 6, 2020 3:46 PM
To: Roberts, Colin@DTSC <Colin.Roberts@dtsc.ca.gov>; Leong, Denise <Leong.Denise@epa.gov>
Cc: Koenig, Jack@ARB <jack.koenig@arb.ca.gov>; Dennis Beck <Dennis.Beck@doj.ca.gov>; Margarita Padilla <Margarita.Padilla@doj.ca.gov>; Harrison Pollak <Harrison.Pollak@doj.ca.gov>; Andrew Wiener <Andrew.Wiener@doj.ca.gov>; Mifsud, Ken, CEPD <ken.mifsud@acgov.org>; Glikman, Amilia@DTSC <Amilia.Glikman@dtsc.ca.gov>; Cho, Christopher@DTSC <Christopher.Cho@dtsc.ca.gov>; Peesapati, Suma@EPA <Suma.Peesapati@calepa.ca.gov>
Subject: RE: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

I am available then.

Melanie Shepherdson
Supervising Attorney
Office of Regional Counsel
U.S. EPA, Region 9
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3923

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From: Roberts, Colin@DTSC <Colin.Roberts@dtsc.ca.gov>
Sent: Friday, March 6, 2020 3:43 PM
To: Leong, Denise <Leong.Denise@epa.gov>
Cc: Koenig, Jack@ARB <jack.koenig@arb.ca.gov>; Dennis Beck <Dennis.Beck@doj.ca.gov>; Margarita Padilla <Margarita.Padilla@doj.ca.gov>; Harrison Pollak <Harrison.Pollak@doj.ca.gov>; Andrew Wiener <Andrew.Wiener@doj.ca.gov>; Mifsud, Ken, CEPD <ken.mifsud@acgov.org>; Glikman, Amilia@DTSC <Amilia.Glikman@dtsc.ca.gov>; Cho, Christopher@DTSC <Christopher.Cho@dtsc.ca.gov>; Peesapati, Suma@EPA <Suma.Peesapati@calepa.ca.gov>; Shepherdson, Melanie <Shepherdson.Melanie@epa.gov>
Subject: RE: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

Great, thanks so much, Denise. How about 10:30 on Monday?

Colin Roberts
Attorney
Office of Legal Counsel
Department of Toxic Substances Control
1001 I Street, MS23
Sacramento, CA 95814
(916) 445-9547

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From: Leong, Denise <Leong.Denise@epa.gov>
Sent: Friday, March 6, 2020 1:59 PM
To: Roberts, Colin@DTSC <Colin.Roberts@dtsc.ca.gov>
Cc: Koenig, Jack@ARB <jack.koenig@arb.ca.gov>; Dennis Beck <Dennis.Beck@doj.ca.gov>; Margarita Padilla <Margarita.Padilla@doj.ca.gov>; Harrison Pollak <Harrison.Pollak@doj.ca.gov>; Andrew Wiener <Andrew.Wiener@doj.ca.gov>; Mifsud, Ken, CEPD <ken.mifsud@acgov.org>; Glikman, Amilia@DTSC <Amilia.Glikman@dtsc.ca.gov>; Cho, Christopher@DTSC <Christopher.Cho@dtsc.ca.gov>; Peesapati, Suma@EPA <Suma.Peesapati@calepa.ca.gov>; Shepherdson, Melanie <Shepherdson.Melanie@epa.gov>
Subject: RE: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

Hi Colin,

Happy to schedule a call to discuss. I'm generally available in the morning of Monday (3/9) and Wednesday (3/11) and the early afternoon of Tuesday (3/10). Let me know if any of those times work for you.

Thanks, Denise

Denise Leong
Assistant Regional Counsel
U.S. Environmental Protetction Agency, Region 9
(415) 972-3409

The contents of this e-mail and any attachments to it may be attorney-client or deliberative-process privileged.

From: Roberts, Colin@DTSC <Colin.Roberts@dtsc.ca.gov>
Sent: Thursday, March 5, 2020 4:55 PM
To: Leong, Denise <Leong.Denise@epa.gov>
Cc: Koenig, Jack@ARB <jack.koenig@arb.ca.gov>; Dennis Beck <Dennis.Beck@doj.ca.gov>; Margarita Padilla <Margarita.Padilla@doj.ca.gov>; Harrison Pollak <Harrison.Pollak@doj.ca.gov>; Andrew Wiener <Andrew.Wiener@doj.ca.gov>; Mifsud, Ken, CEPD <ken.mifsud@acgov.org>; Glikman, Amilia@DTSC <Amilia.Glikman@dtsc.ca.gov>; Cho, Christopher@DTSC <Christopher.Cho@dtsc.ca.gov>; Peesapati, Suma@EPA <Suma.Peesapati@calepa.ca.gov>
Subject: Confidentiality Agreement re Schnitzer Steel Industries, Inc.

Hello, Ms. Leong:

I'm an attorney with the Department of Toxic Substances Control (DTSC) that has been involved with the efforts of a Joint Prosecution Team (JPT)—comprised of DTSC, the California Attorney General's Office, and the Alameda County District Attorney's Office—relating to Schnitzer Steel Industries, Inc.'s metal shredding facility in Oakland, California.

I understand that you've been communicating with Jack Koenig, Senior Attorney with the California Air Resources Board, regarding a possible confidentiality/common interest agreement between the United States and multiple state and local entities regarding one or more possible enforcement action(s) against Schnitzer.

Jack passed along a proposed confidentiality agreement dated February 26th (first attachment), which I understand was revised based on concerns, relayed to you by Jack in early February, raised by the JPT to the first draft proposed agreement (dated February 4th). Would you be willing to schedule a call with me to discuss why the JPT believes its proposed agreement (second attachment) is more appropriate and in line with past confidentiality agreements with Region IX?

Thank you,

Colin Roberts
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