Message

From: Famble, Alayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2DFBAE52E6EC4F4AA61DEF7C6B5AEC1A-FAMBLE, ALA]
Sent: 10/20/2021 4:42:48 PM
To: Dave Hargett Ex. 6 Personal Privacy (PP)
Subject: RE: Four Items for Discussion to include Fwd: EPA-R4-2022-000096 Fee Waiver Determination

Hey Dr. Hargett,

I am sorry for the difficulties in this process. From the last call with Mr. Hill, it seemed as though I received all of the correct information to relay to you to ensure that your waiver request would be approved.
At this point, if you would like for me to set up a call with Mr. Hill of the National FOIA Office, I can definitely do so. Also my slate is full with calls until Thursday and I will be out of the office starting Friday. What is your availability to for Next Wednesday so that I can send you a Teams invite to discuss Lake Conestee SI concerns??

Also, last week I was working with the Region 4 FOIA officials on your case to compile the materials you requested and the materials would include the SI report, PA, raw analytical data from the Region 4 Lab and correspondence internal and with the state in regards to the site. If that is still of interest to you I can check in with that FOIA official, as well. Let me know how you would like me to proceed.

In regards to the Galey and Lord Plant question: I am going to forward your question to HQ as it does relate to the listing and I think it is important to include that in the public comments. The short answer is essentially the Galey and Lord Plant site vs. the sludge fields are sites that are associated but in terms of HRS scoring are much different in complexity; scoring the individual 300+ fields with different watersheds, as well, as the main COCs being PFOA and PFOS is a heavier lift and the state along with the region came up with the strategy to address the sludge fields via immediate removal action and address the Plant site under the NPL process in hopes of using remedial authority to address the remaining sludge fields investigations under a subsequent remedial investigation.

Alayna Famble
RPM | AL & SC SAM
USEPA Region 4
404-562-8444 (office)
470-445-0744 (cell)

From: Dave Hargett Ex. 6 Personal Privacy (PP)
Sent: Tuesday, October 19, 2021 10:53 PM
To: Famble, Alayna <famble.alayna@epa.gov>
Subject: Four Items for Discussion to include Fwd: EPA-R4-2022-000096 Fee Waiver Determination

Alayna
We need to discuss four items at your earliest convenience.
1) status of the FOIA and the materials provided by SCDHEC.
2) fee waiver request denied again..... just incomprehensible..... on the basis that my purposes are "commercial." Below *(in italics)* is what I sent in for my round 2 request..... Nowhere in my request for waiver was there any mention that I was using any of the requested information for commercial purposes..... I am serving as a pro bono advisor to the stakeholder community, as I have to EPA for the last 3 years !!! If the 2,903 p. report that I received from SCDHEC is the substance of what I am going to receive, then I will once again withdraw my request.
3) I also need to talk to you about the Site Inspection Report produced by SCDHEC. I have numerous serious concerns with the report.

4) I also need to speak to you about Galey & Lord, per my email request last week.
Can we schedule a call for Thu or Fri?
Thanks,
Dave

admin@foiaonline.gov

to me

Your request for Fee Waiver for the FOIA request EPA-R4-2022-000096 has been denied. Additional details for this request are as follows:

- *Request Created on: 10/05/2021*
- *Request Description: I hereby request under FOIA all information in the records of EPA-Region IV*
  regarding the Lake Conestee Site located in Greenville County, SC, since 01 October 2018.
  The site ID is: Lake Conestee EPA ID: SCN000407298
  I request all documents, reports, analysis, records, and correspondence and comunication records with state and other agencies, and other interested parties regarding the PA/SI process conducted by EPA under its CERCLA authority from 01 Jan 2018 to present.
  I was referred by the Lake Conestee RPM, Alayna Famble, EPA-Region 4 Superfund & Emergency Management Division, Restoration and Site Evaluation Section.
  Please contact me with any questions.
  Thank you. Dave Hargett
- *Fee Waiver Original Justification: The subject site is a Nature Preserve accessible to the public.*

  This site has confirmed contamination issues that affect the use of the safety of the site by public patrons, and school children.

  The Requestor is the founder of the non-profit organization that manages the nature preserve, and has been the continuous primary technical advisor to the organization for over two decades.

  The requestor is the party who originally petitioned EPA for performance of the PA/SI process recently completed by the agency. This petition followed a Dec 2018 meeting with the Region Administrator and the Director of Superfund, EPA-R4.

  The Requestor provided extensive background information to EPA and allied staff to include historical data relevant to the PA/SI process. I have had dozens of meetings and communications with EPA and its partner agencies on these matters. The Requestor also facilitated the fieldwork conducted as a part of the SI.

  The Requestor serves as a trusted advisor to a multitude of local entities that rely on my advice and recommendations for their decisions regarding the Site and their related interests. Parties that have relied on my advice and direction on these issues include the following:

  City of Greenville, SC (elected officials and various departments)

Greenville County Council (elected officials and various departments)
Renewable Water Resources (local wastewater authority)
Reedy River Water Quality Group (inter-agency consortium)
Upstate Forever (regional smart growth policy and land trust non-profit)
Friends of Reedy River (local river advocacy NPO)
Greenville County Soil & Water Conservation District
Save Our Saluda (watershed advocacy NPO)
Laurens County Council
Laurens County Water & Sewer Commission
Greenwood County Council
Greenwood County Commission of Public Works
Preserving Lake Greenwood (local water quality NPO)
Naturaland Trust (local land trust NPO)
SC Department of Natural Resources (environmental programs office)
Greenville County Legislative Delegation (members of State General Assembly)
SC Congressional Delegation (Sen. Graham, Sen. Scott, and Cong. Timmons)
US Army Corps of Engineers (local environmental programs office)
Local Environmental Justice Organizations
South Carolina Senior Conservation Leadership Alliance (SCLA-Requestor is a Member)
Local Emergency Responders
Local Land Owners Potentially Affected by the Site
Local Development and Business Interests Potentially Affected by the Site
Local Recreational Interests who utilize the Site and the upstream and downstream Reedy River

Over the past 22 years I have been the principal point of contact, and the principal investigator on contamination and dam safety issues related to the Site., prior to the current PA/SI. Throughout the PA/SI process I have been an advisor and consultant to EPA on the relevant history of the Site, key concerns regarding the Site, relevant Site management activities, and strategies for long-term Site care.

I continue to advise all of these parties, as none of them have the institutional knowledge of the Site that I possess, or the technical capacity to provide insights to the results of this PA/SI process.

Over the last three years especially, (and over the past 22 years), and throughout the course of this PA/SI process, I have had dozens of meetings with all of the above entities to, include all of the elected officials listed above, to brief them on the Site, the PA/SI process, and critical actions necessary to protect public safety, public interests, and to protect the environment.

The Requestor also serves as a critical source of information for local media regarding the Site.

The information requested here is essential to maintaining continuity of critical information to all of the above organizations and individuals that rely on the Requestor as a source of concise and timely information regarding conditions at the Site, safe use of the Site, and protection of the associated environment.

This information is critical to maintaining the public's understanding of the nature of this Site, which EPA has previously communicated is a "large, complex, and serious site, that will require perpetual care."

This Site is used by hundreds of thousands of Preserve patrons each year. These patrons must have accurate and timely information on any changes in conditions and restrictions to sustain their safe use.

The Site is also a state-sanctioned Wildlife Sanctuary. Any changes in status or conditions must be timely advised to the public.

Downstream of the Site, the Reedy River provides public water supply to two counties, Laurens and Greenwood, and their municipalities. Timely provision of related information is critical to the operations of these counties' water supply systems.

Major development and business interests surround the Site and are dependent on timely and accurate information, carefully interpreted, for their sound business decisions.

The Requestor fully intends to openly share the requested information through ongoing liaison with the above listed organizations and individuals, and others.

Please contact me if you require further information.
Thank you.
Dave Hargett

- *Fee Waiver Disposition Reason: Please see fee waiver denial letter sent on 10/19/2021.*

ReplyForward

Dave Hargett, Ph.D.

Ex. 6 Personal Privacy (PP)

---------- Forwarded message ---------
From: <foia_hq@epa.gov>
Date: Tue, Oct 19, 2021 at 11:01 AM
Subject: EPA-R4-2022-000096 Fee Waiver Determination
To: **Ex. 6 Personal Privacy (PP)**

Hello,

Please see the attached fee waiver determination.

Sincerely,

EPA National FOIA Office