Message

From: Marianne Lado [mengelmanlado@earthjustice.org]
Sent: 3/30/2016 5:12:17 PM
To: Dorka, Lilian [Dorka.Lilian@epa.gov]
CC: Matthew Baca [mbaca@earthjustice.org]
Subject: Re: Uniontown, Alabama, EPA File No. 12R-13-R4

Lilian,

I just tried to reach you by phone in follow up to this email exchange.

I'm on the road to Uniontown today and was hoping that we might have more information about the status of the investigation. Please feel free to call my cell at Ex. 6 Personal Privacy (PP) and leave a message. I'll pick up messages later in the day. Alternatively, let's set up a time to talk on Friday. I'm fairly open in the morning.

Thanks,

Marianne

On Mar 24, 2016, at 8:38 AM, Dorka, Lilian <Dorka.Lilian@epa.gov> wrote:

Hi Marianne, happy to touch base next week. Thanks! Lilian

Sent from my iPhone

On Mar 24, 2016, at 12:18 AM, Marianne Engelman Lado <mengelmanlado@earthjustice.org> wrote:

> Lilian,
>
> Thanks for the email.
>
> Is there anything more you can tell the complainants? As much as I appreciate the response, it really doesn't provide information – about your timeline, about whether you're proceeding with any negotiations with the recipient, about whether OCR is continuing to investigate, about whether it would be useful to send additional information, etc. We appreciate that there may be some aspects of the investigation and negotiations that might be confidential, but the complainants hope that OCR will follow up on the language in its policy on the Role of Complainants and Recipients in Investigaitons, as well as the Case Resolution Manual and consult with complainants before – not after – engaging in discussions with the recipient about resolution, and we stand ready to be helpful on any data gaps or issues that arise in the investigation.
>
> Perhaps we can touch base some time in the coming week.
>
> Thanks,
>
> Marianne
>
> ---
>
> **From:** Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
> **Sent:** Tuesday, March 22, 2016 4:02 PM
> **To:** Marianne Engelman Lado
> **Cc:** Matthew Baca; Covington, Jeryl; Martinez, Brittany; Golightly-Howell, Velveta; Temple, Kurt; Rhodes,

Julia; Biffl, Betsy
Subject: RE: Uniontown, Alabama, EPA File No. 12R-13-R4

Hi Marianne – hope you are doing well. Sorry for the delay in getting back to you on this. Wanted to let you know that we are currently reviewing all of the information you have presented and will move forward, consistent with our case process, toward resolution of this case. We will let you know if we have any questions regarding any of the information you have submitted. If you have any questions, please feel free to contact me at 202-564-9649. Thanks very much. Lilian

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From: Marianne Engelman Lado [mailto:mengelmanlado@earthjustice.org]
Sent: Monday, March 14, 2016 11:30 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Matthew Baca <mbaca@earthjustice.org>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Golightly-Howell, Velveta <Golightly-Howell.Velveta@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>
Subject: RE: Uniontown, Alabama, EPA File No. 12R-13-R4

Thanks. Welcome back.

I look forward to hearing back from you.

Best,

Marianne

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Monday, March 14, 2016 11:16 AM
To: Marianne Engelman Lado
Cc: Matthew Baca; Covington, Jeryl; Martinez, Brittany; Golightly-Howell, Velveta; Temple, Kurt; Rhodes, Julia; Biffl, Betsy
Subject: RE: Uniontown, Alabama, EPA File No. 12R-13-R4

Hi Marianne, I am just getting back from a week away and need to catch up on everything. This is one of the cases that I will be meeting about. Once I have additional information, I will let you know. Thanks! Lilian

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From: Marianne Engelman Lado [mailto:mengelmanlado@earthjustice.org]
Sent: Monday, March 14, 2016 11:10 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Matthew Baca <mbaca@earthjustice.org>
Subject: FW: Uniontown, Alabama, EPA File No. 12R-13-R4

Dear Lilian,

Any information that you can provide would be appreciated.

Thanks,

Marianne

From: Covington, Jeryl [mailto:Covington.Jeryl@epa.gov]
Sent: Monday, March 14, 2016 10:58 AM

To: Marianne Engelman Lado
Cc: Matthew Baca
Subject: RE: Uniontown, Alabama, EPA File No. 12R-13-R4

I will forward your email to the Director and request that she address the closure of the Arrowhead records.

Please note that since November 2015, I am no longer serving in the capacity of the Acting Assistance Director (AD) for the Compliance and Complaints Program (CCP) . Ms. Lilian Dorka is dually serving as the Deputy Director for OCR and the Acting AD for CCP.

From: Marianne Engelman Lado [mailto:mengelmanlado@earthjustice.org]
Sent: Monday, March 14, 2016 10:52 AM
To: Covington, Jeryl <Covington.Jeryl@epa.gov>
Cc: Matthew Baca <mbaca@earthjustice.org>
Subject: Uniontown, Alabama, EPA File No. 12R-13-R4

Dear Jeryl,

As you know, Complainants recently submitted two sets of documents – on March 5th and March 8th -- to supplement the record in the Uniontown, Alabama case, EPA File No. 12R-13-R4. We are in receipt of a letter from Velveta Golightly-Howell, dated November 10, 2015, notifying Complainants that OCR intended to "close the investigation period" on March 8th, 2016, and are hoping that you might provide additional information about what Complainants should expect at this point and the timeline for next steps.

As we have previously expressed, Complainants seek a timely and thorough investigation and are hoping that OCR is not arbitrarily closing the doors to information to meet an internally set deadline at the expense of a thorough investigation. We lack information, however, about activities that OCR may be taking in furtherance of the investigation and compliance by the Alabama Department of Environmental Management (ADEM) and are unclear about the significance of closing the record. We ask that, consistent with principles of environmental justice, OCR reaches out to Complainants should data gaps remain and, also, that OCR will, as OCR's Interim Case Resolution Manual provides, consider the input of Complainants on potential terms of any voluntary compliance or resolution agreement between OCR and ADEM. (See CRM, Section 3.13).

Please feel free to reach me by email or by phone.

Many thanks,

Marianne

Marianne Engelman Lado
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