Message

From: Keller, Lynn [Keller.Lynn@epa.gov]
Sent: 10/14/2017 1:10:46 AM
To: MacNicholl, Peter@DTSC [Peter.MacNicholl@dtsc.ca.gov]; MacDonald, Alex@Waterboards (Alex.MacDonald@waterboards.ca.gov) [Alex.MacDonald@waterboards.ca.gov]
CC: Bradfish, Larry [Bradfish.Larry@epa.gov]
Subject: RE: Aerojet Area40 Purchase-Sale draft text 31Aug2017v2.docx
Attachments: FW: Summary of Action Items from 9/21/17 Technical Meeting; Aerojet Area40 Purchase-Sale draft text 31Aug2017v2.docx

Hi, Pete and Alex.

Aerojet came to our office yesterday and wanted a progress report on the Purchase & Sale agreement text and Area 40 transfer to the State. AR sent EPA draft Purchase & Sale text and my attorney and I edited it and forwarded it to Pete at the end of Aug with a meeting request. Not sure if you've had time to discuss this with your attorney, Pete. Alex, the EPA version of the Purchase & Sale agreement text is attached. Can we get a meeting on the calendar with the three of us and our attorneys? We'll probably need 1.5-2 hours; I have a conference call number we can use.

Additionally, we need to come up with a public involvement process that meets the RAP, CEQA, and Proposed Plan requirements, all-in-one. I know that's tough to determine when the CEQA process has not yet been mapped out. Let's try though to come up with one comprehensive public involvement plan/period that satisfies all three requirements sufficiently. EPA does not want to do a separate public comment period (PP) for our mini-ROD after the RAP is completed; that would be counterproductive and then may invalidate the RAP if the public brings up issues after the RAP is finalized. Pete, you may want your CEQA staff person also to attend for this portion so we can all get on the same page.

As of today, here are some days and times that my attorney Larry and I are free based on our calendars; we'll probably need 1.5-2 hours; I have a conference call number we can use:
Tues 10/17 11-3
Weds 10/18 9-11 or 3-5
Thurs 10/19 11-3
Fri 10/20 11-1 or 2:30-5
Tues 10/24 9:30-11 or 2-5
Weds 10/25 1-5

Can you each please check your and your attorney's schedules and let us know what day/time would work for a call?

Thanks, and have a great weekend!
Lynn

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From: Keller, Lynn
Sent: Thursday, August 31, 2017 3:42 PM
To: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Cc: Bradfish, Larry <Bradfish.Larry@epa.gov>
Subject: Aerojet Area40 Purchase-Sale draft text 31Aug2017v2.docx

Hello, Pete.

My attorney, Larry Bradfish, and I have been discussing the transfer of Area 40 to the State. Aerojet's recent request for EPA to consider Purchase and Sale agreement language for their development team to pitch to the developers (since we will not be able to get to a ROD by Sept 2018, which is what the current Purchase and Sale agreement requires).

Because we have so many unknowns in the transfer process, work required, and path to get there with documents, Larry and I would prefer to start with a DTSC-EPA discussion on Aerojet's request for Purchase and Sale text that would allow them to redevelop Area 40 if Agency requirements are met. Please share the attached draft text with your attorney to start our discussion. You may also want to share this with the Water Board and have Alex get his attorney involved if needed. We don't feel it's appropriate to share this text with Aerojet yet since we are unsure of the process and the requirements at this point.

I'm heading out on vacation shortly until 15 Sept, but wanted to throw out some meeting dates to discuss this with you and I and our site attorneys. Larry and I are available for a conference call with you and your attorney the following dates; if one works for you, please send a calendar invite to us so we can reserve the time slot for this discussion. Larry and I are free the following dates/times:
Mon 18 Sept: 1pm – 4 pm
Weds 27 Sept: anytime
Thurs 28 Sept: anytime

Thanks, Pete,
Lynn

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