Message

From: Carl Garvey [cgarvey@racertrust.org]
Sent: 9/8/2021 4:10:44 PM
To: Ludmer, Margo [ludmer.margo@epa.gov]
CC: Brendan Mullen [bmullen@racertrust.org]; Doyle, James [Doyle.James@epa.gov]
Subject: RE: OU-2/LCDM RD AOC and SOW

Oops, I read that incorrectly. Can we plan on the Monday call from 2:30pm-3pm Eastern? Thanks.

From: Ludmer, Margo <ludmer.margo@epa.gov>
Sent: Wednesday, September 8, 2021 12:09 PM
To: Carl Garvey <cgarvey@racertrust.org>
Cc: Brendan Mullen <bmullen@racertrust.org>; Doyle, James <Doyle.James@epa.gov>
Subject: RE: OU-2/LCDM RD AOC and SOW

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Hi Carl,

Thanks for your email and for the heads up about the changes. We will take a look as soon as you send the drafts over. I am actually *unavailable* between 12 and 2 on Monday, but otherwise my schedule is open that day. How about 2:30? It looks like Jim will be available then, based on his calendar. If that works for you and Brendan, I'll send around a meeting invite.

Thanks,
Margo

From: Carl Garvey <cgarvey@racertrust.org>
Sent: Wednesday, September 8, 2021 12:04 PM
To: Ludmer, Margo <ludmer.margo@epa.gov>
Cc: Brendan Mullen <bmullen@racertrust.org>; Doyle, James <Doyle.James@epa.gov>
Subject: RE: OU-2/LCDM RD AOC and SOW

Hi Margo: Monday between 12noon and 2pm Eastern will likely be the best date/time slot for us.

Following the Second Circuit's decision, we've revisited the draft RD AOC & SOW with our litigators.

They've made a number of proposed further changes to the documents that track with the Court's decision, e.g., using the Court's definition of OU-2, and that otherwise help fully preserve RACER's right to contribution for the RD costs.

We hope to be sending that further markup to you and Jim by tomorrow (Thursday).

Assuming we accomplish that, that should give you and Jim and your client's sufficient time to review and digest these changes before a call on Monday.

My apologies in advance for the further proposed changes, but given RACER's appeal pending until recently, the AOC/SOW has been a bit of a moving target.

Thanks. --Carl

From: Ludmer, Margo <ludmer.margo@epa.gov>
Sent: Wednesday, September 8, 2021 11:54 AM
To: Carl Garvey <cgarvey@racertrust.org>
Subject: RE: OU-2/LCDM RD AOC and SOW

CAUTION: This email originated outside of RACER. Do not click links or open attachments unless email was expected from a trusted source.

Hi Carl,

Could we schedule a meeting to discuss wrapping up this order? I can be available tomorrow (other than from 9:30 AM – 10:30 AM and 2:30 PM – 3:30 PM EDT), Friday, or Monday (other than from 12:00 PM – 2:00 PM EDT). I'll see if Jim can join, as well.

Thanks,
Margo

From: Ludmer, Margo
Sent: Friday, August 27, 2021 3:59 PM
To: Carl Garvey <cgarvey@racertrust.org>; Brendan Mullen <bmullen@racertrust.org>
Cc: Doyle, James <Doyle.James@epa.gov>
Subject: OU-2/LCDM RD AOC and SOW

Carl and Brendan,

Please see the attached revisions to the 4-9-2021 drafts of the OU-2/LCDM RD AOC and SOW. I've attached both clean and redline versions of the updated drafts, which reflect written comments from RACER as well as our discussions during recent meetings. Once you have had a chance to review the documents, please let us know your availability for a call. We look forward to discussing any final issues with you as soon as possible.

Many thanks,
Margo

Margo Ludmer (she/her/hers)
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
212.637.3187