Message

From: Feinmark, Phyllis [Feinmark.Phyllis@epa.gov]
Sent: 7/21/2022 9:45:24 PM
To: Garcia, Lisa [Garcia.Lisa@epa.gov]; Soltani, Beth [Soltani.Beth@epa.gov]
Subject: Fwd: Riverkeeper Call with EPA/DEC/DOJ/Plaintiffs - August 8 proposed time

So far so good! Please set aside some time (one hour? more?) on August 8 between 9:00 and 11:00 to meet with Todd Ommen and whoever he brings. I will send this message to NYSDEC as well, but I would appreciate it if Beth could reach out directly to the Commissioner's assistant to book the time, so we know it is locked in. Thank you!

On Jul 21, 2022, at 5:36 PM, Onozawa, Tomoko (USANYS) <Tomoko.Onozawa@usdoj.gov> wrote:

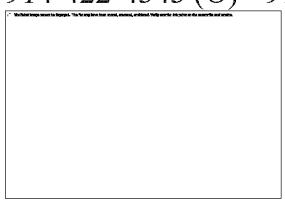
Ex. 5 Attorney Client (AC)

Thanks,
Tomoko

From: Ommen, Todd D. <tommen@law.pace.edu>
Sent: Thursday, July 21, 2022 5:33 PM
To: Onozawa, Tomoko (USANYS) <TOnozawa@usa.doj.gov>
Cc: Mike Dulong <mdulong@riverkeeper.org>; Roger Reynolds <rreynolds@savethesound.org>; Levine, Larry <llevine@nrdc.org>
Subject: [EXTERNAL] Re: WWTP - EPA litigation - 17-CV-4916

We can do August 8 between 9 and 11 if those times work?

Todd D. Ommen
Managing Attorney - Pace Environmental Litigation Clinic, Inc.
Professor of Law - Elisabeth Haub School of Law
78 North Broadway, White Plains, NY 10603
tommen@law.pace.edu
914-422-4343 (O) - 914-422-4437 (F)



From: Onozawa, Tomoko (USANYS) <Tomoko.Onozawa@usdoj.gov>
Sent: Thursday, July 21, 2022 2:34 PM
To: Ommen, Todd D. <tommen@law.pace.edu>
Cc: Mike Dulong <mdulong@riverkeeper.org>; Roger Reynolds

<rreynolds@savethesound.org>
Subject: RE: WWTP - EPA litigation - 17-CV-4916

Todd:

I apologize for the delayed follow-up to your e-mail. We appreciate your willingness to make yourselves available this afternoon and tomorrow, but it turns out that we are unable to secure a time that works for all government participants. Due to upcoming personal leave and work-related travel, we've concluded that the soonest we can set up a call with Plaintiffs, EPA Region 2 leadership (including the Regional Administrator), and the NYSDEC Commissioner is August 8, 2022. Let us know if there are times on August 8 that work for you.

Unfortunately, EPA cannot release a non-final version of a draft proposed rule, and so cannot accommodate your request in that regard.

Many thanks,
Tomoko

Tomoko Onozawa
Assistant U.S. Attorney
United States Attorney's Office
Southern District of New York
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2721
Facsimile: (212) 637-2717

From: Ommen, Todd D. <tommen@law.pace.edu>
Sent: Wednesday, July 20, 2022 4:38 PM
To: Onozawa, Tomoko (USANYS) <TOnozawa@usa.doj.gov>
Cc: Mike Dulong <mdulong@riverkeeper.org>; Roger Reynolds <rreynolds@savethesound.org>
Subject: [EXTERNAL] RE: WWTP - EPA litigation - 17-CV-4916

Tomoko, it looks like Thursday at 2pm or after 4:45pm; or Friday 12-1:30 work for me and my clients. Let us know when you want to schedule something.

Todd D. Ommen
Managing Attorney - Pace Environmental Litigation Clinic, Inc.
Professor of Law - Elisabeth Haub School of Law
78 North Broadway, White Plains, NY 10603
tommen@law.pace.edu
914-422-4343 (O) - 914-422-4437 (F)

From: Onozawa, Tomoko (USANYS) <Tomoko.Onozawa@usdoj.gov>
Sent: Wednesday, July 20, 2022 1:20 PM
To: Ommen, Todd D. <tommen@law.pace.edu>
Subject: RE: WWTP - EPA litigation - 17-CV-4916

Todd:

Thanks for reaching out. I hope your summer is going well also. The proposed rule was transmitted to OMB on April 27, 2022 pursuant to Executive Order 12866, and is currently indicated as "pending review."

We would also like to set up a meeting in the near future with the EPA Regional Administrator Lisa Garcia, DEC Commissioner Basil Seggos, other EPA officials, and my Office, along with you, other counsel of record, and your clients. Our Regional Administrator and Commissioner Seggos would like to discuss DEC's upcoming expectations regarding the water quality standards for the water bodies at issue in our case, and how that might affect our matter. We are checking the RA's and the Commissioner's schedules, but could you also let us know your availability in the next few days for a meeting?

Thanks, and I look forward to hearing from you.

Tomoko

Tomoko Onozawa
Assistant U.S. Attorney
United States Attorney's Office
Southern District of New York
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2721
Facsimile: (212) 637-2717

From: Ommen, Todd D. <tommen@law.pace.edu>
Sent: Tuesday, July 19, 2022 1:39 PM
To: Onozawa, Tomoko (USANYS) <TOnozawa@usa.doj.gov>
Subject: [EXTERNAL] WWTP - EPA litigation - 17-CV-4916

Hi, Tomoko, hope your summer is going well. As you recall EPA informed the Court in our litigation that it would be promulgating WQC for the SD and I waters around NYC this month. I was hoping you could update me on the status of that effort?

Thanks,
Todd

Todd D. Ommen
Managing Attorney - Pace Environmental Litigation Clinic, Inc.
Professor of Law - Elisabeth Haub School of Law
78 North Broadway, White Plains, NY 10603
tommen@law.pace.edu
914-422-4343 (O) - 914-422-4437 (F)

Machinist temps second his Hayeyes. "Sin Ni ang kwa kwa sinod, sinomod, ar-dinind. Fudy kwa ka. ina-ainin ni ilin ainarilin and anodin.