To: "Mack, Karyllan Dodson" [Karyllan.Mack@klgates.com]
Cc: []
Bcc: []
From: CN=Sarah Flanagan/OU=R2/O=USEPA/C=US
Sent: Wed 6/6/2012 12:52:08 PM
Subject: Re: FW: RM 10.9 settling parties

Karyllan,

Thanks - this is enough.

-Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136
Fax: 212-637-3096

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From: "Mack, Karyllan Dodson" <Karyllan.Mack@klgates.com>
To: Sarah Flanagan/R2/USEPA/US@EPA
Date: 06/05/2012 08:38 PM
Subject: FW: RM 10.9 settling parties

Sarah --

Please see the below and attached; let me know if you need anything further.

Karyllan

From: Peticolas, Susanne [mailto:SPeticolas@gibbonslaw.com]
Sent: Tuesday, June 05, 2012 6:52 PM
To: Mack, Karyllan Dodson
Subject: RE: RM 10.9 settling parties

Hi Karyllan,
On October 31, ITT Corporation completed an internal reorganization, which, among other things and subject to limited exception, allocated and transferred to Exelis Inc. and its subsidiaries, as applicable, those assets, and allocated and assigned responsibility for those liabilities, in respect of the activities of ITT's C4ISR electronics and systems, and informational and technical services businesses.
Additional information regarding the spin-off is set out in the attached information statement. Also, "C4ISR" refers to Command, Control, Communications, Computers, Intelligence, Surveillance and

Reconnaissance (C4ISR). Let me know if this is sufficient information.
Susanne

Susanne Peticolas
Director
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One Gateway Center
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Fax: 973-639-6340
E-mail: SPeticolas@gibbonslaw.com
-----Original Message-----
From: Mack, Karyllan Dodson [mailto:Karyllan.Mack@klgates.com]
Sent: Monday, June 04, 2012 8:16 PM
To: Peticolas, Susanne
Subject: FW: RM 10.9 settling parties

Susanne,

Sarah Flanagan has asked for a few sentences explaining the ITT name change to Exelis. Below is a previous email she had sent me on this issue, which gives you some idea of what she is looking for.

Please let me know if you have any questions.

Karyllan

From: Sarah Flanagan [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Friday, June 01, 2012 11:19 AM
To: Mack, Karyllan Dodson
Subject: Re: RM 10.9 settling parties

Karyllan,

Yes, please ask them to prepare additional information.

When we were in the final months of negotiating the RI/FS AOC in 2007, and simultaneously completing the second amendment to the Section 122(h) agreement, a number of parties asked to add affiliated companies even though in some instances EPA had not issued notice letters to those affiliated companies. So that EPA could understand the basis for the requests, Bill Hengemihle prepared an explanation of the nexus of these affiliated companies, as well as their relationship to the already-named parties. EPA and DOJ reviewed the explanation, and we discussed the details internally and with the CPG. Ultimately, we determined that it would be acceptable to change the caption and the list of settling parties, and we also issued notice letters to companies that had not already received them and that we determined had a sufficient nexus to the River to be considered PRPs in their own right.

EPA would like the same kind of information about Quala Systems, Inc. and TRMI-H LLC. The third party complaints filed in the state litigation are not necessarily informative about the nexus of the named parties, and EPA does not necessarily know if the facts alleged in the complaints are accurate. We need to understand the corporate relationships as well. Please ask counsel to provide a short written explanation of what the companies did, when they did it, and what their relationships are with the already-named settling parties. As was the case in Bill Hengemihle's letter of April 27, 2007, a paragraph of two should be sufficient for each request.

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Also, this is probably a good time for me to ask about the name changes for Celanese Ltd. (name changed to "CNA Holdings LLC"). Tate & Lyle Ingredients America, Inc. (name changed to "Tate & Lyle Ingredients America, LLC"), and Vulcan Materials Company (name changed to Vulcan Legacy Corp.). I am up to speed on The Stanley Works changing to Stanley Black & Decker as a result of the merger so nothing more needed on that front.

Thank you. I am available to discuss this if will be helpful.

-Sarah

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