From: Jaikaran, Bianca
To: DeGeorge, R. Steven
Cc: Sablatura, Brandi C (LDZX)
Subject: RE: Horton Iron & Metal ROD/Maritime Administration
Date: Monday, October 1, 2018 1:49:00 PM
Attachments: image001.png

Hi Steven,

Sorry for the delayed response, as I was out of the office for the past few days.

The EPA does intend to notice the Maritime Administration, as it has done in the past. Previously the MA denied liability and did not make itself available to negotiations, so the PRP group moved forward without them. I advised that it is in Phillips interest to provide any additional evidence that it has to both the EPA and to the MA in preparation for negotiations to begin on the RD/RA.

EPA will pursue the MA. If you can please re-send me your evidence, that would be helpful to me at this time as I prepare to notice all parties. I expect notice should be sent in the next few weeks.

Thank you,

Bianca N. Jaikaran
Associate Regional Counsel
Office of Regional Counsel
U.S. EPA Region 4
61 Forsyth Street S.W.
Atlanta, GA 30303-8931
Direct: 404.562.9680
Fax: 404.562.8078
jaikaran.bianca@epa.gov

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of an attorney. It is intended exclusively for the individual(s) or entity(ies) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy, or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by email and delete all copies of the message.

From: DeGeorge, R. Steven [mailto:SDeGeorge@robinsonbradshaw.com]
Sent: Thursday, September 27, 2018 3:02 PM
To: Jaikaran, Bianca <Jaikaran.Bianca@epa.gov>
Cc: Sablatura, Brandi C (LDZX) <Brandi.C.Sablatura@p66.com>
Subject: Horton Iron & Metal ROD/Maritime Administration

Ms. Jaikaran: Now that the Horton Site ROD has been issued, we understand that EPA intends to initiate efforts to secure remedial action contribution from certain PRPs, specifically

including W.R. Grace. We are not clear on whether EPA intends to pursue contribution from the Maritime Administration ("MA"). Your March 10, 2015 email to me indicated that EPA may not pursue MA, and suggested that Phillips 66 put MA on notice of its liability. On March 25, 2015, we sent MA, with a copy to you, a detailed notice of liability letter with supporting documents. Since that time, we have sent copies of key RI/FS documents to Thomas Shepherd, MA's attorney responsible for the matter. Although Phillips 66 would prefer that EPA take the lead on pursuing contribution from MA, we will continue that effort if EPA does not plan to do so. Please let me know of EPA's current thinking on MA and, if appropriate, we will send Mr. Shepherd a copy of the ROD.

Thank you very much.

R. Steven DeGeorge
Robinson Bradshaw

t : 704.377.8380 | f : 704.373.3980
101 N. Tryon St., Suite 1900
Charlotte, NC 28246

sdegeorge@robinsonbradshaw.com
robinsonbradshaw.com

This email may contain material that is CONFIDENTIAL, PRIVILEGED and/or ATTORNEY WORK PRODUCT for the sole use of the intended recipient. Any review, reliance, distribution or forwarding by others without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.