To: Lauren Charney/R2/USEPA/US@EPA[]
Cc: "McCreary, Jean" [JMcCreary@nixonpeabody.com]
From: "McCreary, Jean"
Sent: Wed 5/12/2010 12:41:52 PM
Subject: RE: Lower Ley Creek

Lauren, thank you for inviting us to pose questions. I have a few questions:

(1) Status update on the EPA's and state's claims in GM Bankruptcy,
(2) Update on EPA's position with respect to orphan share funding in light of the particular circumstances of this site,
(3) EPA's preliminary thinking on potential remedial scenarios and if there are any frontrunners being considered,
(4) Update on EPA's costs to date and estimates looking ahead (including potential remedial estimate),
(5) When the data from the on-going sampling might be available.

Jean

-----Original Message-----
From: Charney.Lauren@epamail.epa.gov
[mailto:Charney.Lauren@epamail.epa.gov]
Sent: Tuesday, May 11, 2010 3:24 PM
To: McCreary, Jean
Cc: Cirillo.Argie@epamail.epa.gov; fpavia@HarrisBeach.com; Gary.Gengel@lw.com; haustin@hancocklaw.com; Singerman.Joel@epamail.epa.gov; jredwine@alixpartners.com; Kathleen.McFadden@UTC.COM; Keith.Odenweller@CooperIndustries.com; KMurphy@WladisLawFirm.com; kovacsa@libbey.com; LuisMendez@ongov.net; mkerwin@hblaw.com; Tames.Pam@epamail.epa.gov; RCapozza@hblaw.com; Nunes.Robert@epamail.epa.gov; thomas.goslin@weil.com
Subject: RE: Lower Ley Creek

All the necessary EPA staff will not be available on the 27th or 28th. Please let me know your availability for Tuesday or Wednesday of the following week (6/1 and 6/2). In addition, please let me know if you have specific questions that you'd like EPA to address in preparation for the call.

Lauren P. Charney
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel, EPA Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3181
Fax: 212-637-3104

From: "McCreary, Jean" <JMcCreary@nixonpeabody.com>

OnondagaLake_0000780_0001

To: <Gary.Gengel@lw.com>, <KMurphy@WladisLawFirm.com>, Lauren Charney/R2/USEPA/US@EPA, Argie Cirillo/R2/USEPA/US@EPA, <fpavia@HarrisBeach.com>, <haustin@hancocklaw.com>, Joel Singerman/R2/USEPA/US@EPA, <jredwine@alixpartners.com>, <Kathleen.McFadden@UTC.COM>, <Keith.Odenweller@CooperIndustries.com>, <kovacsa@libbey.com>, <mkerwin@hblaw.com>, Pam Tames/R2/USEPA/US@EPA, <RCapozza@hblaw.com>, Robert Nunes/R2/USEPA/US@EPA, <thomas.goslin@weil.com>
Cc: <LuisMendez@ongov.net>
Date: 05/10/2010 02:04 PM
Subject: RE: Lower Ley Creek

Lauren,

In response to my e-mail to you, the following have also responded to me indicating their availability on the 27th (in addition to me and GAry) for a call with EPA: Frank Pavia, Luis Mendez, Kevin Murphy, David Nunn, Katherine McFadden. Two (Frank Pavia and Luis Mendez) have indicated they are NOT available on the 28th.

Jean

-----Original Message-----
From: Gary.Gengel@lw.com [mailto:Gary.Gengel@lw.com]
Sent: Monday, May 10, 2010 1:57 PM
To: McCreary, Jean; KMurphy@WladisLawFirm.com; Charney.Lauren@epamail.epa.gov; Cirillo.Argie@epamail.epa.gov; fpavia@HarrisBeach.com; haustin@hancocklaw.com; Singerman.Joel@epamail.epa.gov; jredwine@alixpartners.com; Kathleen.McFadden@UTC.COM; Keith.Odenweller@CooperIndustries.com; kovacsa@libbey.com; mkerwin@hblaw.com; Tames.Pam@epamail.epa.gov; RCapozza@hblaw.com; Nunes.Robert@epamail.epa.gov; thomas.goslin@weil.com
Cc: LuisMendez@ongov.net
Subject: RE: Lower Ley Creek

Lauren -

I am tied up on the morning of May 27 but open in the afternoon. I am open on the 28th.

Thanks,

Gary P. Gengel

LATHAM & WATKINS LLP
One Newark Center, 16th Floor
Newark, NJ 07101-3174
Direct Dial: +1.973.639.7287
Fax: +1.973.639.7298

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Mobil: +1.609.306.9835
Email: gary.gengel@lw.com
http://www.lw.com

-----Original Message-----
From: McCreary, Jean [mailto:JMcCreary@nixonpeabody.com]
Sent: Monday, May 10, 2010 10:32 AM
To: Kevin C. Murphy; Charney.Lauren@epamail.epa.gov; Cirillo.Argie@epamail.epa.gov; fpavia@HarrisBeach.com; Gengel, Gary (NJ); haustin@hancocklaw.com; Singerman.Joel@epamail.epa.gov; jredwine@alixpartners.com; Kathleen.McFadden@UTC.COM; Keith.Odenweller@CooperIndustries.com; kovacsa@libbey.com; mkerwin@hblaw.com; Tames.Pam@epamail.epa.gov; RCapozza@hblaw.com; Nunes.Robert@epamail.epa.gov; thomas.goslin@weil.com
Cc: LuisMendez@ongov.net
Subject: RE: Lower Ley Creek

Lauren, I would be interested in participating in such a call for Syracuse China. Due to travel and other previously scheduled commitments, I am not available until the 27th or 28th of May (anytime those dates would be fine). Jean

-----Original Message-----
From: Kevin C. Murphy [mailto:KMurphy@WladisLawFirm.com]
Sent: Monday, May 10, 2010 10:01 AM
To: Charney.Lauren@epamail.epa.gov; Cirillo.Argie@epamail.epa.gov; fpavia@HarrisBeach.com; Gary.Gengel@lw.com; haustin@hancocklaw.com; McCreary, Jean; Singerman.Joel@epamail.epa.gov; jredwine@alixpartners.com; Kathleen.McFadden@UTC.COM; Keith.Odenweller@CooperIndustries.com; kovacsa@libbey.com; mkerwin@hblaw.com; Tames.Pam@epamail.epa.gov; RCapozza@hblaw.com; Nunes.Robert@epamail.epa.gov; thomas.goslin@weil.com
Cc: LuisMendez@ongov.net
Subject: RE: Lower Ley Creek

Lauren:

I am responding on behalf of Onondaga County to request that you set up a time and date for a group call or an individual call w/ Onondaga County to discuss the sampling data and status of current and future activities concerning Lower Ley Creek.

Thank you.

Kevin C. Murphy
The Wladis Law Firm, P.C.
P.O. Box 245, Syracuse, NY 13214
6312 Fly Road, East Syracuse, NY 13057

P 315/445-1700
F 315/251-1073

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kmurphy@wladislawfirm.com <mailto:kmurphy@wladislawfirm.com>

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-----Original Message-----
From: Charney.Lauren@epamail.epa.gov
[mailto:Charney.Lauren@epamail.epa.gov]
Sent: Thursday, May 06, 2010 2:31 PM
To: Cirillo.Argie@epamail.epa.gov; fpavia@HarrisBeach.com; Gary.Gengel@lw.com; haustin@hancocklaw.com; JMcCreary@nixonpeabody.com; Singerman.Joel@epamail.epa.gov; jredwine@alixpartners.com; Kathleen.McFadden@UTC.COM; Keith.Odenweller@CooperIndustries.com; Kevin C. Murphy; kovacsa@libbey.com; LuisMendez@ongov.net; mkerwin@hblaw.com; Tames.Pam@epamail.epa.gov; RCapozza@hblaw.com; Nunes.Robert@epamail.epa.gov; thomas.goslin@weil.com
Subject: Lower Ley Creek

Dear Lower Ley Creek PRPs,

A couple of months ago, I sent you a disk containing the results of the
Nov-Dec 09 sampling of Lower Ley Creek. I offered to schedule a group call to discuss the data, but did not receive a response from any of you. If this is of interest to you, please let me know. EPA is continuing its efforts to investigate and address the contamination of this Subsite and I, once again, encourage the PRPs to contact me if they
are interested in funding or performing this work.

Lauren P. Charney
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel, EPA Region 2
290 Broadway, 17th Floor
New York, NY 10007

Tel: 212-637-3181
Fax: 212-637-3104

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