Message

From: Caballero, Kathryn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C28123C2F148419CB920B5A88B01E8-KCABALLE]
Sent: 9/28/2021 2:19:13 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy term sheet

I'll reach out to John now and copy you both.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, September 28, 2021 10:06 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy term sheet

Good morning

Ex. 5 AC / Ex. 7(A)

Message

From: Caballero, Kathryn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C28123C2F148419CB920B5A88B01E8-KCABALLE]
Sent: 10/5/2021 1:30:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy - Revised Term Sheet

Good morning. I had one addition for your consideration in red font below (stips section).

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 9:25 AM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Revised Term Sheet

Thanks, Johanna!

Anyone else?

Attached are the clean and redlined term sheets, and here are my responses to New Indy's footnotes again for ease of reference:

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

I will plan to send it to New Indy tomorrow around 9:30 or 10:00.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Caballero, Kathryn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C28123C2F148419CB920B5A88B01E8-KCABALLE]
Sent: 10/6/2021 12:25:12 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - meeting on 2nd Revised Draft Term Sheet

Good morning Marirose and everyone. Thursday is awful for me, but the Friday times work fine.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 8:18 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New Indy - meeting on 2nd Revised Draft Term Sheet

Hi All,

Looking at schedules, I think tomorrow between 2 and 4 and Friday at either 10 or 2:30 are possible times for a meeting with New Indy.

Please let me know if you have any unavoidable conflicts during these windows when you get a chance.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 6, 2021 7:50 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - 2nd Revised Draft Term Sheet

Marirose:

What does your team's schedule look like tomorrow afternoon and Friday for a follow-up call? Thanks.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:52 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy - 2nd Revised Draft Term Sheet

Caution: External email

Good morning All,

Please find attached a clean draft of EPA's proposed term sheet, along with a redline comparing it to EPA's original proposal from 9/8 and a redline comparing it to New Indy's proposal from 9/23. Pasted below, I've included EPA's responses to the footnotes in New Indy's 9/23 proposal.

Please let us know if you'd like to meet tomorrow morning to discuss or would rather schedule a time later this week after you've had a chance to more closely review the terms with your client. EPA is still in the process of cleaning up a draft of the standard conditions to be included in the Consent Decree and hopes to send you a draft of that later this week.

Regards,
Marirose

****

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 9:48:12 AM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Hi Kathryn,

Ex. 5 DP / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Wednesday, October 6, 2021 1:25 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 DP / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 DP / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/6/2021 4:44:38 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/7/2021 11:28:37 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 10:29:18 AM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

[1] Parameters to be established.

pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/6/2021 4:18:57 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.

In response to "vn+mjp" version:

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 9/7/2021 5:03:54 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
Subject: New Indy Meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 10/7/2021 12:11:36 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/7/2021 11:57:24 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

I am good with your suggestions.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/6/2021 4:49:08 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: ENV_ENFORCEMENT-#3005505-vn+mjp comments__10-6-21_v2_CLEAN.docx

Thanks, Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/7/2021 12:42:15 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 1:14:19 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Todd,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/7/2021 1:48:12 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/7/2021 1:20:03 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

pratt.marirose@epa.gov

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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 10/7/2021 1:28:08 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC/AWP/DP

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 2:01:57 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Thanks, Todd,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 2:17:51 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 3:57:10 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Thanks for hanging in there. After talking to Todd, here is (I hope) one last revised draft of Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose
Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 10/7/2021 6:30:26 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Ward, Nacosta [Ward.Nacosta@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Not yet. It is still draft. We will include your edit!

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:42 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Thank you! I would plan to just share what you have with our front office, for Larry's awareness, and recommend that

Ex. 5 Attorney Client (AC)

Thanks,
Kathryn

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 11:31 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Kathryn,

I will get a draft to you later today. We are pulling it together now.

Carol

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:18 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>

Ex. 5 Attorney Client (AC)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)

(202) 441 -3905 (c)

Message

From: Weber, Steven D. [steveweber@parkerpoe.com]
Sent: 10/8/2021 6:02:18 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: [External] Re: New Indy - 2nd Revised Draft Term Sheet
Attachments: New-Indy Catawba's 10-8-21 response to EPA Termsheet Proposal REDLINE - For Discussion Purposes.docx

Marirose:

Attached is a revised term sheet with notes. We are circulating this for discussion purposes only. We need to review the term sheet thoroughly with the mill and New-Indy Catawba's consultants. We have no particular agenda items other than to discuss term sheet and CD. We look forward to talking with you at 2:30.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 9:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - 2nd Revised Draft Term Sheet

*****Caution: External email*****

Good morning,

The best time for my team is 2:30pm on Friday but we can also meet at 10:00am. Please let me know if 2:30pm will work for you, and if not, whether 10:00am is an option. I will be happy to send out a meeting invitation.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 6, 2021 7:50 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - 2nd Revised Draft Term Sheet

Marirose:

What does your team's schedule look like tomorrow afternoon and Friday for a follow-up call? Thanks.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:52 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy - 2nd Revised Draft Term Sheet

Caution: External email

Good morning All,

Please find attached a clean draft of EPA's proposed term sheet, along with a redline comparing it to EPA's original proposal from 9/8 and a redline comparing it to New Indy's proposal from 9/23. Pasted below, I've included EPA's responses to the footnotes in New Indy's 9/23 proposal.

Please let us know if you'd like to meet tomorrow morning to discuss or would rather schedule a time later this week after you've had a chance to more closely review the terms with your client. EPA is still in the process of cleaning up a draft of the standard conditions to be included in the Consent Decree and hopes to send you a draft of that later this week.

Regards,
Marirose

****

Ex. 7(A)

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 7:26:02 PM
To: Weber, Steven D. [steveweber@parkerpoe.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy - Draft Consent Decree
Attachments: ENV_ENFORCEMENT-#3011985-v1-nic_settle_CD-1st Proposed Draft_10-7-21.docx

Good Afternoon,

Ex. 7(A)

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 9:53:35 AM
To: Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: New Indy Term Sheet

Importance: High

Ex. 5 AC/ Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/12/2021 10:04:49 AM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC/DP / Ex. 7(A)

From: Gillam, Rick <Gillam.Rick@epa.gov>
Sent: Thursday, October 7, 2021 5:29 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Wang, Corinna <Wang.Corinna@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Todd and All,

Ex. 5 AC/DP / Ex. 7(A)

Ex. 5 AC/DP / Ex. 7(A)

Regards,

-Rick

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 4:56 PM
To: Gillam, Rick <Gillam.Rick@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

Regards,

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AC/DP

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Ex. 5 AC/DP

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/13/2021 10:08:46 AM
To: Weber, Steven D. [steveweber@parkerpoe.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: New Indy - discussion of 2nd draft term sheet

Good morning,

I hope everyone enjoyed a long weekend. As a follow up to our meeting last Friday, I wanted to summarize where I think we left off and the action items for next steps:

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 2:53:10 PM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: New Indy - Term sheet follow up

Good morning all!

Following up on our term sheet discussion from Tuesday, we are still waiting on New Indy to get us more information about the ORP monitoring program. But in the meantime, I would like to get back to New Indy on our position on

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 4:00:08 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Thanks, Katheryn,

I just sent out an email to the New Indy team following up on New Indy based on the feedback we received from various EPA staff on the same questions that John is responding to here. I also just spoke to Todd. He is comfortable with me following up with opposing counsel today to let New Indy know:

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Friday, October 15, 2021 11:48 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

John intended to share this with you as well. He's out of the office until next week and we could follow up then if there are any questions.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

Ex. 7(A)/ Ex. 5 AWP

Ex. 7(A) / Ex. 5 AWP

To: John Wilhelmi <John.Wilhelmi@erg.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 7(A) / Ex. 5 AC

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/15/2021 7:14:56 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term sheet follow up

Seems reasonable to me.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 10:53 AM
To: Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: New Indy - Term sheet follow up

Good morning all!

Following up on our term sheet discussion from Tuesday, we are still waiting on New Indy to get us more information

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 9/8/2021 12:22:24 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy Term Sheet

I made a few comments in the document. I did not participate in the call with Carol yesterday, so I am not sure what was discussed. I did not see a meeting scheduler for the call, but I am sorry if I was supposed to be on the call.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4

Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 5:49:26 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy Attorney Bi-Weekly Check-in
Attachments: New Indy - discussion of 2nd draft term sheet

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/13/2021 10:08:46 AM
To: Weber, Steven D. [steveweber@parkerpoe.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: New Indy - discussion of 2nd draft term sheet

Good morning,

I hope everyone enjoyed a long weekend. As a follow up to our meeting last Friday, I wanted to summarize where I think we left off and the action items for next steps:

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/26/2021 2:14:11 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: New-Indy Catawba, LLC_ORP Control Strategy
Attachments: New Indy Catawba LLC - ORP Control Strategy for Foul Condensate to ASB.pdf

Hi All,

Ex. 5 Attorney Client (AC)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Fax: 404-562- 9486
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Message

From: Weber, Steven D. [steveweber@parkerpoe.com]
Sent: 10/20/2021 7:42:36 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy
Attachments: New Indy Catawba LLC - ORP Control Strategy for Foul Condensate to ASB.pdf

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

Ex. 7(A)

Ex. 7(A)

EPA is still awaiting additional information from New Indy about the ORP probe monitoring program. I've attached my email from Wednesday that lists the minimum amount of information EPA would like to know about this monitoring program for ease of reference.

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 4:13:38 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy Term Sheet

Thank you all for your comments and suggested edits!

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Pratt, Marirose
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason (Dressler.Jason@epa.gov) <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/26/2021 2:47:01 PM
To: Weber, Steven D. [steveweber@parkerpoe.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy
Attachments: New Indy - discussion of 2nd draft term sheet

Good morning,

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Marirose

Ex. 7(A)

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Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
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Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
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Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

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Sent: 10/27/2021 12:37:14 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy
Attachments: ATT00001.txt

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, October 26, 2021 at 10:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Please let me know when you get a chance.

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Marirose

EPA Questions About ORP

Ex. 7(A)

Ex. 7(A)

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Sam Nunn Atlanta Federal Center
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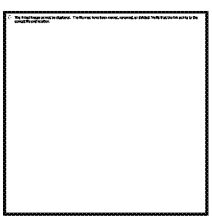
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner



620 South Tryon Street | Suite 800 | Charlotte, NC 28202

Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
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Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the terms sheet. After further investigation and internal discussions

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
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Phone: 404-562-9023
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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 10/27/2021 1:04:17 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 8:42 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Steve Weber
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Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/26/2021 2:20:50 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New-Indy Catawba, LLC_ORP Control Strategy
Attachments: ATT00001.txt

Good idea. I do not need to be involved. Thanks.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 26, 2021 10:14 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] FW: New-Indy Catawba, LLC_ORP Control Strategy

Hi All,

Ex. 5 AC/ Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

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Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

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Subject: New Indy Attorney Bi-Weekly Check-in

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Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

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We think it may make sense to arrange a call with the EPA team and New Indy's technical staff present, as soon as possible, so that EPA can more efficiently get its questions answered. Would this work for New Indy? If so, what times are you available? Here are some possible options from EPA:

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Please let me know when you get a chance.

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The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

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Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/27/2021 2:11:27 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: FW: New-Indy Catawba, LLC _ORP Control Strategy

Hi All,

New Indy's technical staff is available this Friday at 1:00 to discuss the ORP monitoring program in more detail.

Does this time work for you all?

Let me know when you get a chance.

Thank you!

Marirose J. Pratt
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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

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Thursday: 10 am – 1:00 pm, and 2:00 pm-4:00 pm
Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

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Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

Ex. 7(A)

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We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

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Sent: 10/27/2021 4:01:54 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

Ex. 7(A)

EPA is still awaiting additional information from New Indy about the ORP probe monitoring program. I've attached my email from Wednesday that lists the minimum amount of information EPA would like to know about this monitoring program for ease of reference.

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 4:18:04 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy Term Sheet
Attachments: 9-8-21_Draft_New Indy_Term 303 Term Sheet.docx

Hi Steve and Johanna,

Please find attached EPA's proposed term sheet to settle the CAA 303 judicial action with New Indy. Please let us know if you have any questions or concerns.

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/27/2021 6:49:17 PM
To: Stephanie Blackman [sblackman@schwarzpartners.com]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
Subject: RE: [External] New Indy - Draft Consent Decree

Ex. 7(A)

From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, October 27, 2021 2:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>
Subject: RE: [External] New Indy - Draft Consent Decree

Hi Everyone,

Attached please find New-Indy's comments to EPA's proposed draft Consent Decree. Jim and I are happy to discuss at your convenience.

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 3:26 PM
To: Weber, Steven D. <steveweber@parkerpoe.com>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] New Indy - Draft Consent Decree

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Good Afternoon,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/27/2021 6:51:34 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: FW: [External] New Indy - Draft Consent Decree
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_NI_s_first_comments_on_US_first_draft_-_STeve_O_comments.DOCX

Ex. 5 DP / Ex. 7(A)

From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, October 27, 2021 2:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>
Subject: RE: [External] New Indy - Draft Consent Decree

Hi Everyone,

Attached please find New-Indy's comments to EPA's proposed draft Consent Decree. Jim and I are happy to discuss at your convenience.

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 3:26 PM
To: Weber, Steven D. <steveweber@parkerpoe.com>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] New Indy - Draft Consent Decree

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Good Afternoon,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 10/27/2021 8:38:03 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: [External] New Indy - Draft Consent Decree
Attachments: RE_ SC - Support Operations Services (SOS) Affirmative Civil Enforcement (ACE)_Redacted.pdf; ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_NI_s_first_comments_on_US_first_draft_-_STeve_O_comments jcv edit.docx

Ex. 5 AC / Ex. 7(A)

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 27, 2021 2:52 PM
To: Marirose Pratt (pratt.marirose@epa.gov) <pratt.marirose@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: [External] New Indy - Draft Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, October 27, 2021 2:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>
Subject: RE: [External] New Indy - Draft Consent Decree

Hi Everyone,

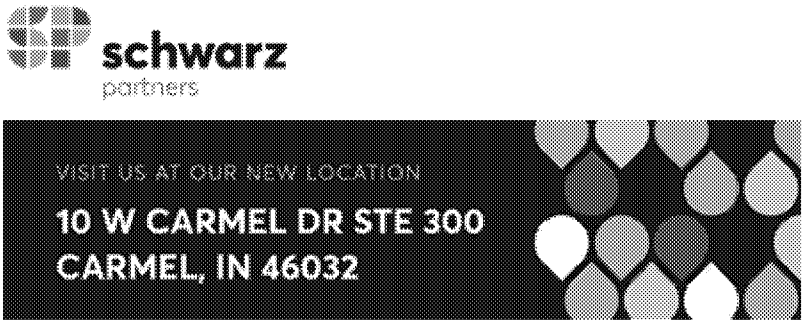
Ex. 7(A)

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com



From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 3:26 PM
To: Weber, Steven D. <steveweber@parkerpoe.com>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] New Indy - Draft Consent Decree

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Good Afternoon,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 9:46:56 AM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

As a reminder, I am still waiting to hear back from you on whether New Indy's technical staff is available to answer questions about the ORP monitoring program today at 12:00pm-1:00pm or Tomorrow 9:00am-10:00am. We could also use today's 3:00pm slot for this discussion.

Please let me know if any of these times work for the New Indy technical team when you get a chance.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
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From: Pratt, Marirose
Sent: Wednesday, October 27, 2021 12:02 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 10:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 9:17 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 9:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 8:42 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 8:37 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

Jim

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Date: Tuesday, October 26, 2021 at 10:47 AM
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

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We think it may make sense to arrange a call with the EPA team and New Indy's technical staff present, as soon as possible, so that EPA can more efficiently get its questions answered. Would this work for New Indy? If so, what times are you available? Here are some possible options from EPA:

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Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

Ex. 7(A)

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

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Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

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contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 9/8/2021 4:23:44 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Hi Steve and Johanna,

Please find attached EPA's proposed term sheet to settle the CAA 303 judicial action with New Indy. Please let us know if you have any questions or concerns.

Is everyone comfortable with transmitting this to New Indy today?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/1/2021 12:56:42 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

9:00 am tomorrow works best.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Monday, November 1, 2021 at 5:47 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@schwarzpartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

As a reminder, I am still waiting to hear back from you on whether New Indy's technical staff is available to answer questions about the ORP monitoring program today at 12:00pm-1:00pm or Tomorrow 9:00am-10:00am. We could also use today's 3:00pm slot for this discussion.

Please let me know if any of these times work for the New Indy technical team when you get a chance.

Thanks,
Marirose

Marirose J. Pratt
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From: Pratt, Marirose
Sent: Wednesday, October 27, 2021 12:02 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

Marirose J. Pratt
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 10:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 9:17 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke,

Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. Thank you!

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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 8:42 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,

Marirose

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Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

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Steve

Steve Weber
Partner

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Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

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Ex. 7(A)

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Have a great weekend.

Regards,
Marirose

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To: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. I will send out a calendar invitation shortly.

Thank you,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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9:00 am tomorrow works best.

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Good morning,

As a reminder, I am still waiting to hear back from you on whether New Indy's technical staff is available to answer questions about the ORP monitoring program today at 12:00pm-1:00pm or Tomorrow 9:00am-10:00am. We could also use today's 3:00pm slot for this discussion.

Please let me know if any of these times work for the New Indy technical team when you get a chance.

Thanks,
Marirose

Marirose J. Pratt
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 9:17 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. Thank you!

Marirose J. Pratt
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Air & EPCRA Law Office
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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 8:42 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, October 26, 2021 at 10:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

Ex. 7(A)

Wednesday: 10:30 am – 11:30 am, 1:00 pm-2:00 pm, and 2:30 – 4:00 pm
Thursday: 10 am – 1:00 pm, and 2:00 pm-4:00 pm
Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Marirose:

With the technical call scheduled for tomorrow at 9 am, we do not have particular items to discuss with EPA today. Should we cancel the 3 pm call today, or are there items you all wish to discuss? Just FYI, one or more of the New-Indy lawyers plan to be on the 9 am call tomorrow to understand the technical issues. Thanks.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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Fantastic. I will send out a calendar invitation shortly.

Thank you,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

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Please let me know if any of these times work for the New Indy technical team when you get a chance.

Thanks,
Marirose

Marirose J. Pratt
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Office of Regional Counsel

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Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

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<mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 9:17 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

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Sent: Wednesday, October 27, 2021 8:37 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, October 26, 2021 at 10:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks,

Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

Ex. 7(A)

Wednesday: 10:30 am – 11:30 am, 1:00 pm-2:00 pm, and 2:30 – 4:00 pm
Thursday: 10 am – 1:00 pm, and 2:00 pm-4:00 pm
Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

*****Caution: External email*****

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 6:06:01 PM
To: Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

We are not ready for this afternoon's call so I will cancel and hopefully we can reschedule for later this week.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Sent: Monday, November 1, 2021 11:43 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Steve,

We may have some questions about New Indy's proposed redline of the Consent Decree to discuss this afternoon at 3:00pm. I will let you know by 2:00pm.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, November 1, 2021 11:03 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Marirose:

With the technical call scheduled for tomorrow at 9 am, we do not have particular items to discuss with EPA today. Should we cancel the 3 pm call today, or are there items you all wish to discuss? Just FYI, one or more of the New-Indy lawyers plan to be on the 9 am call tomorrow to understand the technical issues. Thanks.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 1, 2021 8:59 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman

<sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Caution: External email

Fantastic. I will send out a calendar invitation shortly.

Thank you,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Sent: Monday, November 1, 2021 8:57 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

9:00 am tomorrow works best.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Monday, November 1, 2021 at 5:47 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@schwarzpartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

As a reminder, I am still waiting to hear back from you on whether New Indy's technical staff is available to answer questions about the ORP monitoring program today at 12:00pm-1:00pm or Tomorrow 9:00am-10:00am. We could also use today's 3:00pm slot for this discussion.

Please let me know if any of these times work for the New Indy technical team when you get a chance.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Pratt, Marirose
Sent: Wednesday, October 27, 2021 12:02 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Hi Jim,

Unfortunately, Friday does not work for EPA anymore. How about Monday 12:00pm-1:00pm or Tuesday 9:00am-10:00am?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

The mill personnel are available at 1:00 pm on Friday to answer your questions. Does that work for you?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 9:17 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Fantastic. Thank you!

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

We hope to send that to you today.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, October 27, 2021 at 8:42 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Weber, Steven D. <steveweber@parkerpoe.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
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Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 8:37 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman

<sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, October 26, 2021 at 10:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

Ex. 7(A)

Wednesday: 10:30 am – 11:30 am, 1:00 pm-2:00 pm, and 2:30 – 4:00 pm
Thursday: 10 am – 1:00 pm, and 2:00 pm-4:00 pm
Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

Ex. 7(A)

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:23:57 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]

Subject: New Indy - term sheet/Appendix A further discussion if needed
Location: Microsoft Teams Meeting

Start: 11/3/2021 5:00:00 PM
End: 11/3/2021 5:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew
Optional Attendees: Foley, Patrick; Secrest, Cary; Fried, Gregory; Nowell, Valerie; Caballero, Kathryn

<!--[if lte mso 15 || CheckWebRef]-->

Pratt, Marirose has shared a OneDrive for Business file with you. To view it, click the link below.

11-3-21 Draft Appendix A - Work to be Performed.docx

<!--[endif]-->

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
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Or call in (audio only)
+1 470-705-2279,,542059235# United States, Atlanta
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 5:55:24 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - term sheet/Appendix A
Attachments: Comparison of EPA's 10-7-21 1st CD draft to 11-3-21 2nd CD draft.docx

<!--[if lte mso 15 || CheckWebRef]-->

Pratt, Marirose has shared a OneDrive for Business file with you. To view it, click the link below.

11-3-21 Draft Appendix A - Work to be Performed.docx

<!--[endif]-->

Hi All,

Please find attached a revised term sheet/Appendix A for your review. I am also attaching the current draft of the CD with includes redline changes we have made or accepted since our first draft.

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Wednesday, November 3, 2021 9:24 AM
To: Pratt, Marirose; Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew
Cc: Foley, Patrick; Secrest, Cary; Fried, Gregory; Nowell, Valerie; Caballero, Kathryn
Subject: New Indy - term sheet/Appendix A further discussion if needed

When: Wednesday, November 3, 2021 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Or call in (audio only)
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/4/2021 12:39:12 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: New Indy - revised draft CD and term sheet/Appendix A

Good morning,

In a minute, I am going to share with everyone three separate documents:

Ex. 5 AC / Ex. 7(A)

Please review these and let me know if you have any questions, comments, or proposed revisions. After incorporating any changes, I will create clean versions of the CD and Appendix A to send to New Indy, along with a redline of the CD and of the term sheet comparing this round of edits to what we last proposed.

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 11/9/2021 4:12:28 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Revised draft CD and Appendix A/term sheet
Attachments: ENV_ENFORCEMENT-#3016277-v1-nic_-_SO_comments_on_APp_A1.DOCX

Comments on App A attached.
Will review CD tomorrow.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 8, 2021 2:48 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Revised draft CD and Appendix A/term sheet

Hi All,

Thank you for reviewing the draft documents I shared last week. Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you see anything I missed or have any trouble accessing the documents.

Thank you!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 4:32:24 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Term Sheet
Attachments: 9-8-21_Draft_New Indy_Term 303 Term Sheet.docx

Thanks for the quick reply, Steve. I've added the disclaimer.

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>;

Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 11/9/2021 3:03:50 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Revised draft CD and Appendix A/term sheet
Attachments: ENV_ENFORCEMENT-#3016277-v1-nic_-_SO_comments_on_APp_A1.DOCX

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 8, 2021 2:48 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Revised draft CD and Appendix A/term sheet

Hi All,

Ex. 5 AC / Ex. 7(A)

Please let me know if you see anything I missed or have any trouble accessing the documents.

Thank you!
Marirose

Marirose J. Pratt
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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 11/16/2021 1:13:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy - preparing for responding to comments

I won't make this meeting. It was scheduled on top of another meeting I had.

-----Original Appointment-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 15, 2021 1:31 PM
To: Pratt, Marirose; Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew; Nowell, Valerie; Caballero, Kathryn; Foley, Patrick; Secrest, Cary; Fried, Gregory
Subject: New Indy - preparing for responding to comments
When: Tuesday, November 16, 2021 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/8/2021 7:47:30 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: New Indy - Revised draft CD and Appendix A/term sheet
Attachments: 11-8-21 Draft Appendix A - Work to be Performed.docx; 11-8-2021_EPA 2d draft CD_Clean.docx; Comparison of EPA's 10-7-21 1st CD draft to 11-8-21 2nd CD draft.docx

Hi All,

Thank you for reviewing the draft documents I shared last week. Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/16/2021 1:28:52 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy - preparing for responding to comments

Thanks, Patrick. I am sorry you can't make it today. It is a struggle to find times for these meetings when everyone is free, trying to balance accommodating everyone's schedule with keeping the case moving. I trust the program to know when, and on what issues, we need to be sure to use your expertise. Still, please feel free to check in with me or others when you get a chance so that we can keep you in the loop.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, November 16, 2021 8:13 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New Indy - preparing for responding to comments

I won't make this meeting. It was scheduled on top of another meeting I had.

-----Original Appointment-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 15, 2021 1:31 PM
To: Pratt, Marirose; Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew; Nowell, Valerie; Caballero, Kathryn; Foley, Patrick; Secrest, Cary; Fried, Gregory
Subject: New Indy - preparing for responding to comments

When: Tuesday, November 16, 2021 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 11/16/2021 2:02:27 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy - preparing for responding to comments

Could we do the call an hour earlier?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, November 16, 2021 8:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New Indy - preparing for responding to comments

Thanks, Patrick. I am sorry you can't make it today. It is a struggle to find times for these meetings when everyone is free, trying to balance accommodating everyone's schedule with keeping the case moving. I trust the program to know when, and on what issues, we need to be sure to use your expertise. Still, please feel free to check in with me or others when you get a chance so that we can keep you in the loop.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, November 16, 2021 8:13 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn

<Caballero.Kathryn@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New Indy - preparing for responding to comments

I won't make this meeting. It was scheduled on top of another meeting I had.

-----Original Appointment-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 15, 2021 1:31 PM
To: Pratt, Marirose; Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew; Nowell, Valerie; Caballero, Kathryn; Foley, Patrick; Secrest, Cary; Fried, Gregory
Subject: New Indy - preparing for responding to comments
When: Tuesday, November 16, 2021 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/19/2021 5:15:47 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: Proposed EPA reply to New Indy's response to the NOPVOC and request for ETA on CD comments
Attachments: 11-19-21_EPA reply to NIC 11-5-2021 response to NOPCOV.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 9/8/2021 5:38:22 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:32 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

Thanks for the quick reply, Steve. I've added the disclaimer.

Good question about DHEC. Valerie, what are your thoughts?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Hi Steve and Johanna,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 11/19/2021 11:20:18 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: Proposed EPA reply to New Indy's response to the NOPVOC and request for ETA on CD comments

Sorry for delayed response.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, November 19, 2021 12:16 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] Proposed EPA reply to New Indy's response to the NOPVOC and request for ETA on CD comments

Good morning,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/22/2021 11:03:50 AM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy SJM and email to opposing counsel
Attachments: RE: Proposed EPA reply to New Indy's response to the NOPVOC and request for ETA on CD comments

11-22-21 New Indy CAA 303 Draft Settlement Approval Memo.docx

Good morning Valerie and Kathryn,

Ex. 5 AC / Ex. 7(A)

I have scheduled to take this whole week off but I am available if needed to keep this case moving, and I will be checking email periodically.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 11/30/2021 4:37:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session (steam stripper downtime)

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enis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, October 7, 2021 9:01 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory

<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

T

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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4

Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app

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Or call in (audio only)

+1 470-705-2279,,125266760# United States, Atlanta

Phone Conference ID: 125 266 760#

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Learn More | Meeting options

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:07:25 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: FW: New-Indy Catawba - Drafts of Appendices A, V and IV
Attachments: Appendix V - Spill Containment 11-29.docx; Appendix IV - Passive Post Aeration Basin Cover System 11-29.docx; Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, November 29, 2021 7:31 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>

Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy Catawba - Drafts of Appendices A, V and IV

Marirose:

Ex. 7(A)

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

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Message

From: Weber, Steven D. [steveweber@parkerpoe.com]

Ex. 7(A)

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/2/2021 4:46:06 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

Johanna C. Valenzuela
Assistant U.S. Attorney
District of South Carolina
Office: (803) 929-3122
Cell: (803) 445-7295

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/2/2021 4:41:59 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Draft CD

Highjacking this email to say: I'm traveling for xmas dec 20-24, on leave.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 3:26:39 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD
Attachments: 12-2_20_EPA comments on_New-Indy Catawba Redline of 2nd draft of CD.docx; 12-2_20_EPA 's 3rd draft New Indy CD.docx

Good morning,

Please find attached a revised clean (except for one item) draft of the CD as well as a document that responds to New Indy's 11/30/21 redline draft of the CD.

Ex. 5 AC / Ex. 7(A)

Please let me know if you agree and if you have any comments or suggested edits to either of the other documents when you get a chance.

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/2/2021 4:48:02 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - Draft CD

I'm planning on leave the same week.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, December 2, 2021 11:42 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: RE: New Indy - Draft CD

Highjacking this email to say: I'm traveling for xmas dec 20-24, on leave.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 5:49:52 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; johanna.valenzuela@usdoj.gov
Subject: RE: New Indy - Draft CD
Attachments: 12-2-21_EPA's comments on New Indy's 11-30-21 Redline CD.docx

Importance: High

Hang on. I attached the wrong document for the comments on the redline. Please review this one instead.

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Please find attached a revised clean (except for one item) draft of the CD as well as a document that responds to New Indy's 11/30/21 redline draft of the CD.

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 7:05:14 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - Draft CD
Attachments: 12-2-21_EPA's comments on New Indy's 11-30-21 Redline CD.docx

Good catch! Thanks, Johanna

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Thursday, December 2, 2021 12:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 12:50 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero,

Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Hang on. I attached the wrong document for the comments on the redline. Please review this one instead.

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 7:24:36 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Johanna.Valenzuela@usdoj.gov; Steve.O'Rourke@usdoj.gov
Subject: Pratt, Marirose shared the folder "Dec 3 2021 drafts" with you.

Pratt, Marirose shared a folder with you

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any trouble accessing the documents or have any comments or concerns about them.

Thanks!

Dec 3 2021 drafts

This link only works for the direct recipients of this message.

Open

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 7:38:28 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, December 2, 2021 2:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 2:05 PM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Draft CD

Good catch! Thanks, Johanna,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Sent: Thursday, December 2, 2021 12:55 PM
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Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
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Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Ex. 5 AC / Ex. 7(A)

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Subject: New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/2/2021 7:42:38 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Sent: Thursday, December 2, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

Johanna C. Valenzuela
Assistant U.S. Attorney
District of South Carolina
Office: (803) 929-3122
Cell: (803) 445-7295

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Draft CD

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Ex. 5 AC / Ex. 7(A)

Thanks,
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 6:51:54 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy Term Sheet

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:32 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

Thanks for the quick reply, Steve. I've added the disclaimer.

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, September 8, 2021 12:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/6/2021 1:49:16 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: NIC - Sunday night musings.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Sunday, December 5, 2021 8:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell,

Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/2/2021 7:43:14 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, December 2, 2021 2:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 2:05 PM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Draft CD

Good catch! Thanks, Johanna,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Thursday, December 2, 2021 12:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 12:50 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Ex. 5 AC / Ex. 7(A)

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 9:22:14 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: New Indy - Draft CD and Appendix A
Attachments: 12-2-21_EPA's comments on New Indy's 11-30-21 Redline CD.pdf; 12-2-21_EPA's comments on New Indy's 11-29-21 Appendix A redline.pdf; 12-2-21_ EPA's Draft Appendix A - CLEAN.docx; 12-2_20_EPA 's 3rd draft New Indy CD_CLEAN.docx

Importance: High

Good Afternoon,

Please find attached revised drafts of the CD and Appendix A, as well as separate documents responding to New Indy's 11/29/21 redline draft of Appendix A and 11/30/21 redline draft of the CD.

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 11:45:51 AM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft
Attachments: EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; Stipulated Penalties Research v2.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

I will look for a time later today for us to all meet and discuss next steps.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, December 6, 2021 5:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Marirose:

Ex. 7(A)

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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www.parkerpoe.com

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 9/8/2021 7:12:37 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 2:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy Term Sheet

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Wednesday, September 8, 2021 1:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

Thanks for the quick reply, Steve. I've added the disclaimer.

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Sent: Wednesday, September 8, 2021 12:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Hi Steve and Johanna,

Please find attached EPA's proposed term sheet to settle the CAA 303 judicial action with New Indy. Please let us know if you have any questions or concerns.

Is everyone comfortable with transmitting this to New Indy today?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 12/7/2021 12:21:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Hi Marirose –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 6:46 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Good morning,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

I will look for a time later today for us to all meet and discuss next steps.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, December 6, 2021 5:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Marirose:

Ex. 7(A)

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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www.parkerpoe.com

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From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 12/9/2021 12:15:36 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: FW: NIC - EJ?
Attachments: 12-9-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 9, 2021 6:21 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions, concerns or suggested edits.

Thanks!
Marirose

p.s. still no word from New Indy's attorney. I plan to call him later this morning if I do not hear from him before 9:00am.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, December 8, 2021 3:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 8, 2021 3:47 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Wednesday, December 8, 2021 3:41 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero

Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, December 8, 2021 3:38 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

FWIW.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/9/2021 1:41:41 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy CD negotiations

Good morning Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/9/2021 11:21:26 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: NIC - EJ?
Attachments: 12-9-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. still no word from New Indy's attorney. I plan to call him later this morning if I do not hear from him before 9:00am.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Sent: Wednesday, December 8, 2021 3:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 8, 2021 3:47 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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pratt.marirose@epa.gov

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Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, December 8, 2021 3:38 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: NIC - EJ?

Ex. 5 AC / Ex. 7(A)

FWIW.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/13/2021 9:05:44 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: FW: New-Indy - Consent Decree

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/13/2021 9:23:00 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

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CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 9/8/2021 7:13:36 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy Term Sheet

No objections here.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, September 8, 2021 3:13 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 2:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy Term Sheet

Hi Steve

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Wednesday, September 8, 2021 1:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:32 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, September 8, 2021 12:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:18 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Hi Steve and Johanna,

Please find attached EPA's proposed term sheet to settle the CAA 303 judicial action with New Indy. Please let us know if you have any questions or concerns.

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/13/2021 9:27:59 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

I have to sign off for the day soon so I'm thinking we will get back to New Indy tomorrow morning.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
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Subject: [EXTERNAL] FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Any immediate concerns about the proposed language? Let me know.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/13/2021 6:12:06 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: FW: Amounts Spent and Civil Penalty
Attachments: 12-13-21_EPA 's 5th draft New Indy CD_CLEAN.docx; Comparison of EPA's Dec 9 draft to Dec 13 draft CD.docx

FYI... here is the email I sent after I spoke to Jim this morning.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Pratt, Marirose
Sent: Monday, December 13, 2021 11:46 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: RE: Amounts Spent and Civil Penalty

Hi Jim and Stephanie,

Ex. 7(A)

Please let me know if this is acceptable to New Indy before COB today if possible.

Regards,
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Monday, December 13, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: Amounts Spent and Civil Penalty

Marirose,

Ex. 7(A)

Ex. 7(A)

Stephanie and Jim

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/14/2021 6:39:31 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com

www.schwarzpartners.com

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CARMEL, IN 46032

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 3:19:59 PM
To: Stephanie Blackman [sblackman@schwarzpartners.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy - Consent Decree
Attachments: comparison of EPA's Dec 13 to Dec 14 draft CD.docx; 12-14-21_EPA 's 6th draft New Indy CD_CLEAN.docx

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 7:30:36 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New-Indy - Consent Decree

Yes. No problem.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Tuesday, December 14, 2021 2:18 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 7(A)

Larry Starfield
Acting Assistant Administrator
Office of Enforcement and Compliance Assurance

Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve

(ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

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sblackman@schwarzpartners.com
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 10:40:55 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: New Indy - Final CD draft
Attachments: PennTex Rex CD_Entered.pdf; 12-14-21_EPA 's 6th draft New Indy CD_CLEAN.docx; comparison of EPA's Dec 13 to Dec 14 draft CD.docx

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Greene, Mary [Greene.Mary.E@epa.gov]
Sent: 12/15/2021 1:18:57 AM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Subject: FW: Breaking new - New-Indy accepted final changes and is ready to execute

Hi Kathryn,

Ex. 5 AC / Ex. 7(A)

Mary E. Greene
Director, Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
WJC Building South, Rm 1119B
Office: 202 564 0254
Cell: 202 430 2876

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From: Greene, Mary
Sent: Tuesday, December 14, 2021 8:16 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>
Cc: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: RE: Breaking new - New-Indy accepted final changes and is ready to execute

Ex. 5 AC / Ex. 7(A)

Region 4 rocks.

Mary E. Greene
Director, Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
WJC Building South, Rm 1119B
Office: 202 564 0254
Cell: 202 430 2876

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From: Palmer, Leif <Palmer.Leif@epa.gov>
Sent: Tuesday, December 14, 2021 5:42 PM
To: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Greene, Mary <Greene.Mary.E@epa.gov>
Cc: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: FW: Breaking new - New-Indy accepted final changes and is ready to execute

Ex. 5 AC / Ex. 7(A)

From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Tuesday, December 14, 2021 5:38 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: Breaking new - New-Indy accepted final changes and is ready to execute

Incredible!!!!

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, December 14, 2021 1:42 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: Breaking new - New-Indy accepted final changes and is ready to execute

See below

Thank you.

From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
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contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 7:11:55 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy - Consent Decree
Attachments: Appendix A_Work to Be Performed.pdf; Appendix B_Fence Line Monitor Locations.pdf; Appendix C_Wastewater Treatment System Diagram.jpg; 12-14-21_EPA 's New Indy CD_for New Indy's signature.pdf; RE: New Indy _ Amounts Spent

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
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pratt.marirose@epa.gov

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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve

(ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

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CARMEL, IN 46032

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/13/2021 7:42:03 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]
Subject: RE: New Indy _ Amounts Spent

Good afternoon,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Monday, December 13, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>

Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: Amounts Spent and Civil Penalty

Marirose,

Ex. 7(A)

Stephanie and Jim

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/8/2021 8:39:38 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy Term Sheet
Attachments: 9-8-21_New Indy_CAA 303 Term Sheet.docx

Good afternoon,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/15/2021 8:08:34 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: FW: [External] RE: New-Indy - Consent Decree
Attachments: New-Indy Catawba LLC - CD Signature Page.pdf

FYI!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, December 15, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Hi Marirose,

Ex. 7(A)

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION
10 W CARMEL DR STE 300
CARMEL, IN 46032

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 1:30 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] RE: New-Indy - Consent Decree

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Good afternoon,

Ex. 7(A)

Please let me know when you get a chance.

Regards,
Marirose

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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 3:21 PM

To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

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Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:58 PM
To: 'Cobery, Jim' <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; 'Weber, Steven D.' <steveweber@parkerpoe.com>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
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Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>

Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/15/2021 10:23:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: [External] RE: New-Indy - Consent Decree

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 3:09 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: [External] RE: New-Indy - Consent Decree

FYI!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, December 15, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Hi Marirose,

Ex. 7(A)

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
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To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] RE: New-Indy - Consent Decree

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Good afternoon,

Ex. 7(A)

Please let me know when you get a chance.

Regards,
Marirose

Marirose J. Pratt
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Office of Regional Counsel
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To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
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To: 'Cobery, Jim' <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; 'Weber, Steven D.' <steveweber@parkerpoe.com>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
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Office of Regional Counsel

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Subject: RE: New-Indy - Consent Decree

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Subject: Re: New-Indy - Consent Decree

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Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

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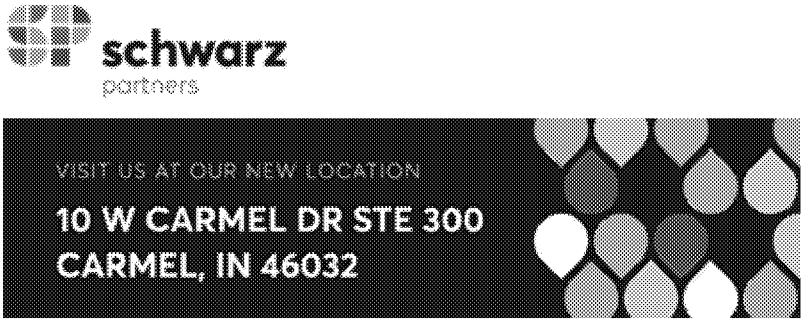
www.schwarzpartners.com



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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/16/2021 10:27:57 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: [External] RE: New-Indy - Consent Decree

Ex. 7(A)

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pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, December 15, 2021 5:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 3:09 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: [External] RE: New-Indy - Consent Decree

FYI!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, December 15, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Hi Marirose,

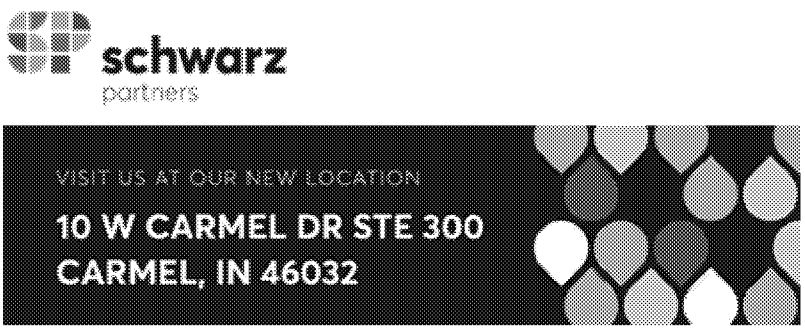
Ex. 7(A)

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com



From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 1:30 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] RE: New-Indy - Consent Decree

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Good afternoon,

Ex. 7(A)

Please let me know when you get a chance.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 3:21 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:58 PM
To: 'Cobery, Jim' <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; 'Weber, Steven D.' <steveweber@parkerpoe.com>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

I will send a revised version shortly.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>

Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 8:20:32 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New-Indy - Consent Decree
Attachments: 12-14-21_EPA 's New Indy CD_for New Indy's signature-3pmpdf.pdf; [Compare Report] 12-14-21_EPA 's New Indy CD_for New Indy's signature-3pmpdf.pdf

Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Tuesday, December 14, 2021 2:58 PM
To: 'Cobery, Jim' <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; 'Weber, Steven D.' <steveweber@parkerpoe.com>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

I will send a revised version shortly.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

We accept these changes. Please generate the execution version and we will arrange to have executed.

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com

www.schwarzpartners.com

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CARMEL, IN 46032

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 9/8/2021 9:06:07 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: Re: New Indy Term Sheet

Thank you. We will review this term sheet and let you know when we are prepared to discuss this.

I asked Randy to provide us with some guidance about the meeting that he has scheduled for Friday. I will share that with this group when he provides that information.

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, September 8, 2021 at 4:43 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@schwarzpartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>, Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Term Sheet

Good afternoon,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/10/2021 4:03:42 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy - Pre-meeting
Attachments: 9-8-21_New Indy_CAA 303 Term Sheet.docx

Hi All,

Here is a copy of the term sheet we shared with New Indy for reference during todays meetings.

Please let me know if you have any questions.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 9, 2021 10:32 AM
To: Pratt, Marirose; Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew
Subject: New Indy - Pre-meeting
When: Friday, September 10, 2021 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

This is an invitation for a pre-meeting before the meeting that was scheduled for tomorrow at 1:30 with New Indy. If you have not received the 1:30 meeting invitation, please let me know an I will forward you the call-in information.

Ex. 5 AC / Ex. 7(A)

Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,478157493# United States, Atlanta
Phone Conference ID: 478 157 493#
Find a local number | Reset PIN

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 9/16/2021 4:09:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy 1st draft CD.
Attachments: ENV_ENFORCEMENT-#3005505-v1-nic_settle_1st_draft_CD_.DOCX

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 9/24/2021 12:02:47 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Steven D. Weber [steveweber@parkerpoe.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Randy Lowell [rlowell@willoughbyhoefer.com]
Subject: Comments to Proposed Settlement Term Sheet
Attachments: 9-23 EPA Settlement Term Sheet Redline.docx; 9-23 Settlement Term Sheet New-Indy Comments REDLINE.docx; Steam Stripper Trials Description.docx; New-Indy Catawba Liquor Containment Drawings.jpg; Pre-Clarifier SOlids Removal Project.docx

Ex. 7(A)

Thanks,

Jim

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/24/2021 10:25:30 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: FW: Comments to Proposed Settlement Term Sheet
Attachments: 9-23 EPA Settlement Term Sheet Redline.docx; 9-23 Settlement Term Sheet New-Indy Comments REDLINE.docx; Steam Stripper Trials Description.docx; New-Indy Catawba Liquor Containment Drawings.jpg; Pre-Clarifier SOlids Removal Project.docx

Hi All,

FYI ...This came in from New Indy last night.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, September 23, 2021 8:03 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Steven D. Weber <steveweber@parkerpoe.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Randy Lowell <rlowell@willoughbyhoefer.com>
Subject: Comments to Proposed Settlement Term Sheet

Ex. 7(A)

Thanks,

Jim

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 9/24/2021 3:46:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: ENV_ENFORCEMENT-#3005505-v1-nic_settle_1st_draft_CD_.DOCX

Hi all

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/28/2021 2:06:05 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy term sheet

Good morning,

Ex. 5 AC / Ex. 7(A)

Marirose
Sent from my iPhone

Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 9/28/2021 3:43:55 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/4/2021 1:57:34 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 2:44:11 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; England, JJ [England.Jj@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: New Indy - Term Sheet Working Session

10-4-21_EPA Response to NI's 1st Redline.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/4/2021 3:42:57 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 9:22:52 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy Internal pre-meeting

Good morning All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Monday, October 4, 2021 4:51 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy Internal pre-meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

I will plan to send it to New Indy tomorrow around 9:30 or 10:00.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023

Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Monday, October 4, 2021 5:02 AM
To: Pratt, Marirose; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Nowell, Valerie; Caballero, Kathryn; England, JJ
Subject: New Indy Internal pre-meeting
When: Monday, October 4, 2021 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 8:50:37 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy Internal pre-meeting
Attachments: 10-5-21_Redline compared to New Indy's 9-23-21 Proposal.docx; 10-5-21_Redline compared to EPA's 9-8-21 Proposal.docx; 10-5-21_ EPA Response to NI's 1st Termsheet Proposal_Clean.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

I will plan to send it to New Indy tomorrow around 9:30 or 10:00.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Monday, October 4, 2021 5:02 AM
To: Pratt, Marirose; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Nowell, Valerie; Caballero, Kathryn; England, JJ
Subject: New Indy Internal pre-meeting
When: Monday, October 4, 2021 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Attached is a revised term sheet responding to New Indy's redline based on the program's feedback. Please review if you have time before this afternoon's internal meeting. Thanks!

Microsoft Teams meeting

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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 10/5/2021 12:56:09 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy Internal pre-meeting

Marirose,

The attachments and your separate email with the footnotes match up with my recollection of what we discussed yesterday. I have no edits.

Johanna C. Valenzuela
Assistant U.S. Attorney
District of South Carolina
Office: (803) 929-3122
Cell: (803) 445-7295

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 4:51 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy Internal pre-meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

I will plan to send it to New Indy tomorrow around 9:30 or 10:00.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Monday, October 4, 2021 5:02 AM
To: Pratt, Marirose; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Nowell, Valerie; Caballero, Kathryn; England, JJ
Subject: New Indy Internal pre-meeting
When: Monday, October 4, 2021 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Ex. 5 AC / Ex. 7(A) Please review if you have time before this afternoon's internal meeting. Thanks!

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 1:25:10 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy - Revised Term Sheet
Attachments: 10-5-21_Redline compared to New Indy's 9-23-21 Proposal.docx; 10-5-21_Redline compared to EPA's 9-8-21 Proposal.docx; 10-5-21_ EPA Response to NI's 1st Termsheet Proposal_Clean.docx

Thanks, Johanna!

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Tuesday, October 5, 2021 8:56 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy Internal pre-meeting

Marirose,

Ex. 5 AC / Ex. 7(A)

Johanna C. Valenzuela
Assistant U.S. Attorney
District of South Carolina
Office: (803) 929-3122
Cell: (803) 445-7295

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 4:51 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy Internal pre-meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

I will plan to send it to New Indy tomorrow around 9:30 or 10:00.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Ex. 5 AC / Ex. 7(A)

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 2:20:45 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
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Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
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To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
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Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 10/5/2021 2:24:29 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Denis,

Ex. 5 AC / Ex. 7(A)

Pat

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Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Subject: New Indy - Term Sheet Working Session

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Where: Microsoft Teams Meeting

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Thanks!
Marirose

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Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler

U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM

To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/1/2021 6:09:48 PM
To: John Wilhelmi [John.Wilhelmi@erg.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - Toxicologist Questions
Attachments: 9-29-21 MacLeod Declaration filed.pdf; 9-29-21 Norcross Declaration filed.pdf; 9-29-21 Osa Declaration filed.pdf; Complaint in Intervention 9 29 2021.pdf; Motion to Intervene and Lift Stay 9 29 2021.pdf; 9-29-21 Meggs Declaration filed.pdf

Hi John,

Ex. 5 AC / Ex. 7(A)

Please let us know your thoughts when you get a chance.

Thanks!
Marirose

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/5/2021 2:25:15 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
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Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

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U.S. EPA Region 4
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Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
Fax: 404-562- 9486
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Denis,

Ex. 5 AC / Ex. 7(A)

Pat

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U.S. EPA Region 4
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 2:52:23 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy - 2nd Revised Draft Term Sheet
Attachments: 10-5-21_Redline compared to New Indy's 9-23-21 Proposal.docx; 10-5-21_Redline compared to EPA's 9-8-21 Proposal.docx; 10-5-21_ EPA Response to NI's 1st Termsheet Proposal_Clean.docx

Good morning All,

Please find attached a clean draft of EPA's proposed term sheet, along with a redline comparing it to EPA's original proposal from 9/8 and a redline comparing it to New Indy's proposal from 9/23. Pasted below, I've included EPA's responses to the footnotes in New Indy's 9/23 proposal.

Please let us know if you'd like to meet tomorrow morning to discuss or would rather schedule a time later this week after you've had a chance to more closely review the terms with your client. EPA is still in the process of cleaning up a draft of the standard conditions to be included in the Consent Decree and hopes to send you a draft of that later this week.

Regards,
Marirose

****

Ex. 7(A)

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 2:54:30 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 10/5/2021 3:02:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
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Subject: RE: New Indy - Term Sheet Working Session

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:55 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Denis,

Ex. 5 AC / Ex. 7(A)

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Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Marirose,

Ex. 5 AC / Ex. 7(A)

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Office of Regional Counsel
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Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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From: Weber, Steven D. [steveweber@parkerpoe.com]
Sent: 10/5/2021 5:10:07 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - 2nd Revised Draft Term Sheet

Marirose:

Thank you for the e-mail. We will review the draft and get back with you regarding a meeting.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

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Sent: Tuesday, October 5, 2021 10:52 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy - 2nd Revised Draft Term Sheet

Caution: External email

Good morning All,

Ex. 7(A)

Ex. 7(A)

Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/5/2021 8:30:04 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: 10-5-21_comparison of DOJ draft to EPA R4 revisions.docx; ENV_ENFORCEMENT-#3005505-vn+mjp comments.DOCX

Hi Steve,

Ex. 5 AC / Ex. 7(A)

out.

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

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Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/5/2021 10:38:09 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
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Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

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Marirose

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Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/6/2021 12:57:57 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
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Air & EPCRA Law Office
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To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
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Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
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Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Weber, Steven D. [steveweber@parkerpoe.com]
Sent: 10/6/2021 11:49:34 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca (RebeccaG@thekraftgroup.com) [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; England, JJ [England.Jj@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: New Indy - 2nd Revised Draft Term Sheet

Marirose:

What does your team's schedule look like tomorrow afternoon and Friday for a follow-up call? Thanks.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:52 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy - 2nd Revised Draft Term Sheet

Caution: External email

Good morning All,

Ex. 7(A)

Ex. 7(A)

Regards,
Marirose

****

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4

Sam Nunn Atlanta Federal Center
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/6/2021 9:11:28 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: Comparison of DOJ draft to 10-6-21 EPA R4 revisions.docx; ENV_ENFORCEMENT-#3005505-vn+mjp comments__10-6-21.docx

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
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Cc: England, JJ <England.Jj@epa.gov>
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My comments of substance:

Ex. 5 AC / Ex. 7(A)

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Subject: New Indy 1st draft CD

Ex. 5 AC / Ex. 7(A)

Thanks.

Appointment

From: Williams, Felicia [Williams.Felicia@epa.gov]
Sent: 12/17/2021 8:28:17 PM
To: Blackman, Daniel [Blackman.Daniel@epa.gov]; Blevins, John [Blevins.John@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Jenkins, Brandi [Jenkins.Brandi@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy Settlement - ECAD
Attachments: New Indy Briefing Request.doc; New Indy draft briefing sheet 2021 Dec 14.docx
Location: Administrator's Office

Start: 1/12/2022 7:00:00 PM
End: 1/12/2022 8:00:00 PM
Show Time As: Tentative

Required Attendees: Blackman, Daniel; John Blevins; Kemker, Carol; Palmer, Leif; Rubini, Suzanne; Russo, Todd; Dressler, Jason; Jenkins, Brandi; Lamberth, Larry
Optional Attendees: Pratt, Marirose; 'Valerie Nowell'; Denis Kler

Ex. 5 AC / Ex. 7(A)

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NEW INDY CONTAINER BOARD

CATAWBA, SC

RA BRIEFING

JANUARY 20, 2022

NEW INDY CONTAINER BOARD
CATAWBA, SC

Agenda

- Overview
- Background
- Legal Framework
- Communications
- Next Steps

OVERVIEW

- April 8, 2021: Due to odors and public health complaints, SC DHEC requested EPA assistance
- April 15, 2021: Region 4 performed an initial Clean Air Act inspection
- April 26 – 27, 2021: Region 4 performed Clean Air Act and Clean Water Act inspections with the assistance of the Geospatial Measurement of Air Pollution (GMAP) vehicle
- [Date] SEMD established community-based monitoring
- May 13, 2021
  - CAA Section 303 Emergency Order issued
  - CAA Section 114 required 1 year community-based monitoring
- Negotiated Proposed Consent Decree to resolve Imminent and Substantial Endangerment

Todd

BACKGROUND

- **December 2018** – New Indy purchased the facility from Resolute Forest Products
- **July 2019** - SC DHEC issued an air permit to convert from bleach paper to unbleached paper operation
  - Switched "white paper" production to "brown paper" production to manufacture cardboard
- **May 2020** – SC DHEC issued an air permit to change the air regulation compliance option (shut down the steam stripper to use biological treatment in the aeration stabilization basin)
- **September 2020** – facility shutdown to switch from bleach paper to unbleached paper operation and shutdown steam stripper
- **November 2020** – facility restarted at low production rate
- **February 2021** – facility increased to higher production rate

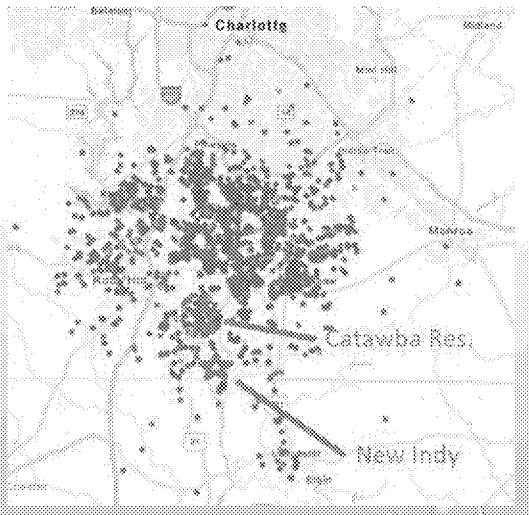
BACKGROUND (CONTINUED)

CITIZEN COMPLAINTS

- SC DHEC and the EPA began receiving citizen complaints by the thousands, more than 13,000 by March 12, 2021, shortly after the facility restarted
- The total complaints recorded by SC DHEC and EPA as of January 7, 2022, was over 42,000
- Common complaints include experiencing a terrible rotten egg smell, nausea, and irritated eyes and throat

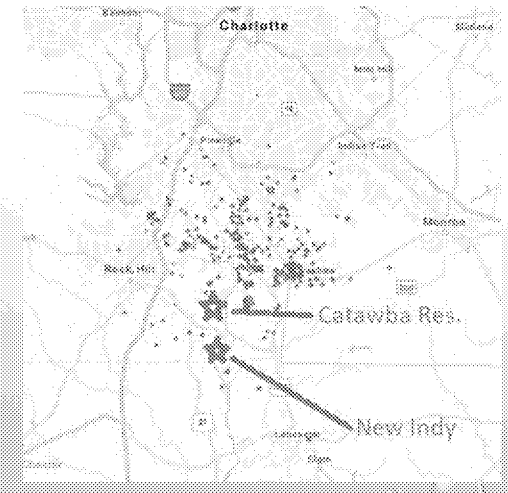
BACKGROUND (CONTINUED)

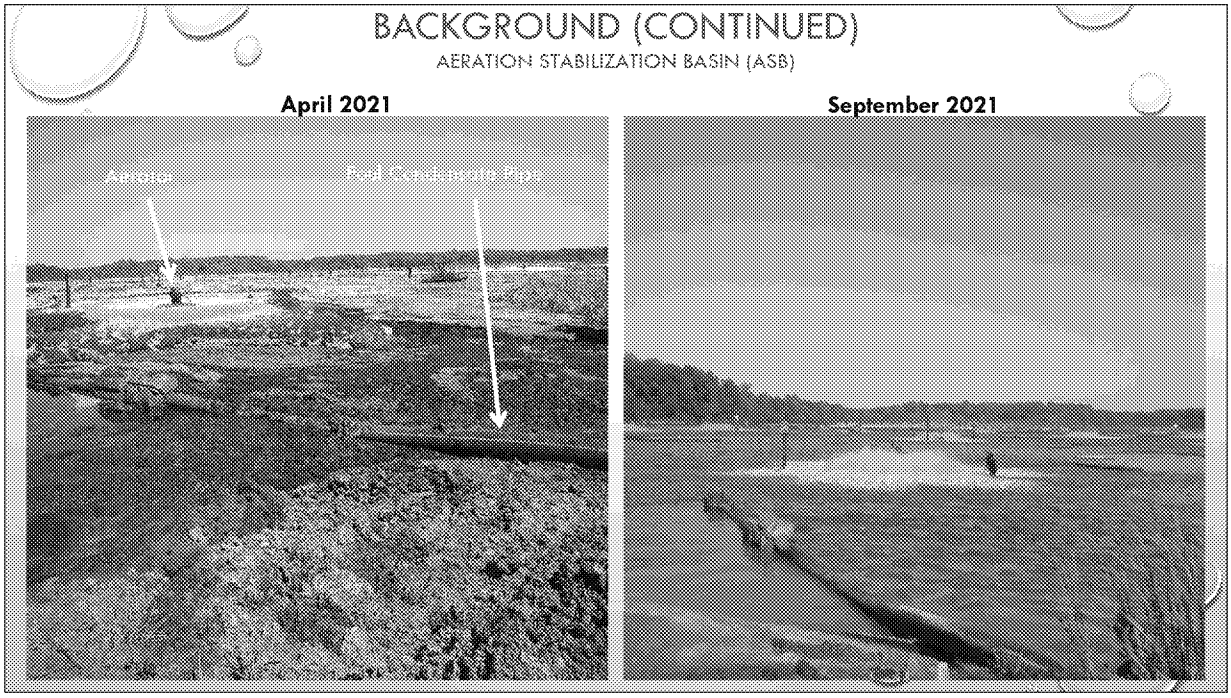
APRIL 2021 COMPLAINT MAP



BACKGROUND (CONTINUED)

OCTOBER 2021 COMPLAINT MAP



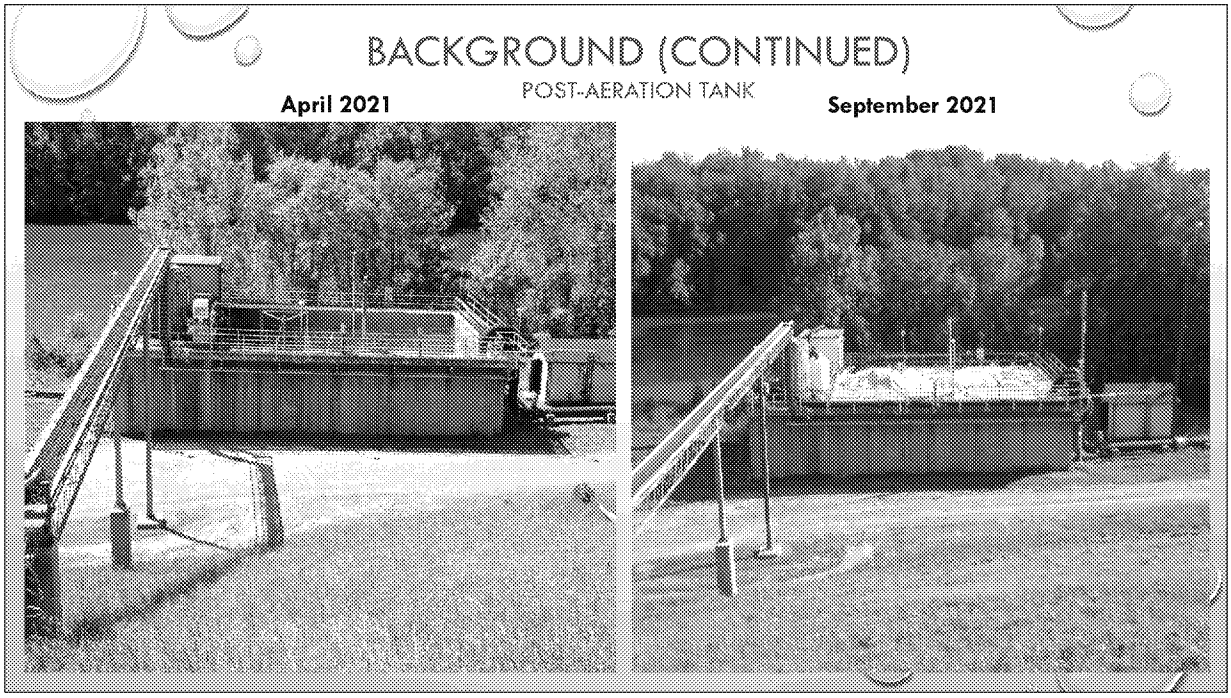


Foul Condensate Pipe
New Indy upsized existing 8” pipe to a 10” pipe.

Floating sludge blanket (solids) believed to be 3 to 4 feet deep.

ASB is 20 feet in depth by design.

Majority of aerators unable to operate.



excessive foaming On April 15, 2021

Source of high H2s monitor readings

Temporary cover with carbon control was installed as a corrective action

LEGAL FRAMEWORK

- CAA Section 303 Order issued on May 13, 2021
- CAA Section 303 Orders only last 60 Days
- On July 12, 2021, DOJ filed a complaint alleging ISE
- On July 13, the Court entered an Order staying the case and requiring New Indy to continue to operate without exceeding fence line limits
- On December 29, 2021, DOJ lodged the proposed Consent Decree
- On January 10, 2022, the federal register announced the opening of a 30-day public comment period on the Consent Decree.

Ex. 5 DP / Ex. 7(A)

LEGAL FRAMEWORK (CONTINUED)

- At least two separate class actions have been filed against New Indy.
- Citizens involved in one of the class action lawsuits have also moved to intervene in EPA's CAA Section 303 civil action against New Indy.
- The court has not yet ruled on the motion to intervene.
- The citizen interveners argue that EPA should have required New Indy to do more, for example, monitor for other air pollutants and install more monitoring stations.

COMMUNICATIONS

- Goal is to continue building trust.
- Engage more with the community through various means.
  - Responses to calls, emails and letters
  - Hybrid meeting
  - Should there be additional availability sessions for the community after the public comment period closes?
- Briefings for elected officials on a regular basis.
- Maximizing our suite of tools

NEXT STEPS

Ex. 5 DP / Ex. 7(A)

Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:15 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; Stipulated Penalties Research v2.docx
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Ex. 5 AC / Ex. 7(A)

Thanks!

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; Stipulated Penalties Research v2.docx
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Ex. 5 AC / Ex. 7(A)

Thanks!

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,478157493# United States, Atlanta
Phone Conference ID: 478 157 493#
Find a local number | Reset PIN

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:20 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Learn More | Meeting options

Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:23:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]

Subject: New Indy - term sheet/Appendix A further discussion if needed
Location: Microsoft Teams Meeting

Start: 11/3/2021 5:00:00 PM
End: 11/3/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew
Optional Attendees: Foley, Patrick; Secrest, Cary; Fried, Gregory; Nowell, Valerie; Caballero, Kathryn

<!--[if lte mso 15 || CheckWebRef]-->

Pratt, Marirose has shared a OneDrive for Business file with you. To view it, click the link below.

11-3-21 Draft Appendix A - Work to be Performed.docx

<!--[endif]-->

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,542059235# United States, Atlanta
Phone Conference ID: 542 059 235#
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 12:27:35 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session

Hi Denis,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

downtime necessary for maintenance activities in a rolling 1825 day average.

What is our timeline for sharing the draft term sheet with New Indy?

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory

<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/7/2021 12:56:54 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 8:28 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: New Indy - Term Sheet Working Session

Hi Denis,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory

---

[1] Parameters to be established.

<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AC / Ex. 7(A)

Pat

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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division

Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick

Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/7/2021 1:18:52 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/7/2021 1:17:07 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:57 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 8:28 AM

To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: New Indy - Term Sheet Working Session

Hi Denis,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

What is our timeline for sharing the draft term sheet with New Indy?

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Marirose

[1] Parameters to be established.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Ex. 5 AC / Ex. 7(A)

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Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Marirose

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Denis,

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Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

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Sent: 10/7/2021 1:36:07 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 5:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Hi Kathryn,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Wednesday, October 6, 2021 1:25 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/7/2021 8:55:50 PM
To: Gillam, Rick [Gillam.Rick@epa.gov]
CC: Rinck, Todd [Rinck.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 AC / Ex. 7(A)

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Gillam, Rick [Gillam.Rick@epa.gov]
Sent: 10/7/2021 9:29:06 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Rinck, Todd [Rinck.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Wang, Corinna [Wang.Corinna@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Todd and All,

Ex. 5 AC / Ex. 7(A)

Regards,

-Rick

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 4:56 PM
To: Gillam, Rick <Gillam.Rick@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/13/2021 4:13:48 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

ARD information below.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/13/2021 8:18:44 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods
Attachments: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Gillam, Rick <Gillam.Rick@epa.gov>
Sent: Wednesday, October 13, 2021 3:44 PM
To: Mitchell, Ken <Mitchell.Ken@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Hi Ken and All,

Ex. 5 AWP / Ex. 7(A)

-Rick

From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Gillam, Rick [Gillam.Rick@epa.gov]
Sent: 10/7/2021 9:29:06 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Rinck, Todd [Rinck.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Wang, Corinna [Wang.Corinna@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Todd and All,

Ex. 5 AWP / Ex. 7(A)

Regards,

-Rick

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 4:56 PM
To: Gillam, Rick <Gillam.Rick@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 AWP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

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Sent: Monday, October 4, 2021 8:47 AM
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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/18/2021 12:58:05 PM
To: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: Draft of NOPVOC for New Indy QAPP Deficiencies
Attachments: New Indy Containerboard Draft NOPVOC kit_mjp 10-6-21 vn 10 15 2021 kit.docx

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 8:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Guillot, Richard <Guillot.Richard@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi Richard,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 6, 2021 4:28 PM
To: Guillot, Richard <Guillot.Richard@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Thank you Richard!

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Guillot, Richard <Guillot.Richard@epa.gov>
Sent: Wednesday, October 6, 2021 4:01 PM
To: Zachary, Adam <zachary.adam@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd:

Ex. 5 AC / Ex. 7(A)

Thanks
Richard

Richard Guillot
Environmental Engineer

U.S. EPA, Region 4
Laboratory Services & Applied Science Division

980 College Station Road
Athens, Georgia 30605

P: (706) 355-8737
F: (706) 355-8744
guillot.richard@epa.gov

From: Zachary, Adam <zachary.adam@epa.gov>
Sent: Wednesday, October 06, 2021 2:56 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Good afternoon,

Ex. 5 AC / Ex. 7(A)

Best Regards,
Adam

Adam M. Zachary, Ph.D. ¦ Physical Scientist ¦
Laboratory Services and Applied Science Division ¦ Quality and Support Branch ¦ Quality Assurance Section ¦
U.S. Environmental Protection Agency ¦ 980 College Station Road ¦ Athens, GA 30605-2720 ¦
Voice: 706-355-8657 ¦ Email: zachary.adam@epa.gov

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 06, 2021 1:52 PM
To: Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

ENFORCEMENT CONFIDENTIAL

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Wellborn, Floyd <Wellborn.Floyd@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd,

Ex. 5 AC / Ex. 7(A)

Floyd

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, October 05, 2021 6:49 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi All,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 11:24 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose

<Pratt.Marirose@epa.gov>
Subject: FW: Draft of NOPVOC for New Indy QAPP Evaluation

ENFORCEMENT CONFIDENTIAL

Hi Sandra,

Ex. 5 AC / Ex. 7(A)

Please review and please let me know if you have any comments.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Friday, October 1, 2021 11:17 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 2nd Draft of NOPVOC for New Indy

Ex. 5 AC / Ex. 7(A)

Thanks.

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

Message

From: Mills, Andrew [mills.andrew@epa.gov]
Sent: 10/18/2021 3:44:46 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy - question about H2S

Hey Team,

Ex. 5 AC / Ex. 7(A)

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 6:16 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - question about H2S

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/18/2021 5:48:23 PM
To: Mills, Andrew [mills.andrew@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy - question about H2S

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Mills, Andrew <mills.andrew@epa.gov>
Sent: Monday, October 18, 2021 11:45 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - question about H2S

Hey Team,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 6:16 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - question about H2S

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/18/2021 6:15:48 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy - question about H2S

Thank you for your replies! Very helpful.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 18, 2021 1:48 PM
To: Mills, Andrew <mills.andrew@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - question about H2S

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Mills, Andrew <mills.andrew@epa.gov>
Sent: Monday, October 18, 2021 11:45 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - question about H2S

Hey Team,

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 6:16 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - question about H2S

Good morning,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/21/2021 12:06:36 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy
Attachments: New Indy Catawba LLC - ORP Control Strategy for Foul Condensate to ASB.pdf

Hi all – I believe you were expecting this information from New Indy. Marirose is out today and tomorrow so I am forwarding this to you.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023

Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/25/2021 11:54:34 AM
To: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: NIC - brief due WED.
Attachments: 2021-10-20_New Indy Brief in opposition to intervention.pdf; 2021-10-20_US brief in opposition to intervention.pdf

FYI

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 25, 2021 6:00 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: NIC - brief due WED.

Good morning!

Here are the briefs in case Valerie or someone else didn't already send them along.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 21, 2021 6:43 AM

To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: NIC - brief due WED.

Good morning Marirose,

Just checking to see if the brief was filed yesterday?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 19, 2021 7:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: NIC - brief due WED.

Hi Todd,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 3:23 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Hi Steve,

I have a couple comments and edits, not much though.

Thank you again, it looks good.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Monday, October 18, 2021 9:01 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Valerie – you should review the attached version, removed from sharepoint, reviewed by Lori's boss Karen.

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 8:16 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Saturday, October 16, 2021 6:12 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Friday, October 15, 2021 3:41 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ

<England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 6:40 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: NIC - brief due WED.

Thanks, Steve! I think it is looking good. :)

I've made revisions to address the comments you had left in some of the sections I had edited, hopefully addressing them.

I'm happy to chat over the phone later today about anything you still have questions about. Let me know how else I can help.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, October 14, 2021 6:35 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

So – I intend to spend a few hours tomorrow making it "final" enough to send upstairs.

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/27/2021 12:53:34 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy
Attachments: RE: New-Indy Catawba, LLC _ORP Control Strategy

Thanks for doing some more research into this! I'm working on scheduling a call. Attached is my latest exchange with opposing counsel.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Wednesday, October 27, 2021 8:43 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Sounds like it would be helpful to schedule a call with the company to talk through some of the information.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Wednesday, October 27, 2021 8:22 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Thanks Denis. Here is another one, a little more technical and more oriented to wastewater. As you said before Denis, we need more details on locations and target values than we have.

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Wednesday, October 27, 2021 8:10 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose,

Ex. 5 Attorney Client (AC)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 25, 2021 9:02 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Thanks, Denis and Pat,

What if we set up a call with New Indy's technical staff, to give you the opportunity to ask questions and to ask for any additional information you might need to better understand how the ORP monitoring works? Would that be helpful?

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 21, 2021 9:22 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Agreed.

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 21, 2021 8:54 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Ex. 5 Attorney Client (AC)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 21, 2021 6:40 AM
To: Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Good morning,

Please see the attached information about the ORP monitoring program that we received from New Indy yesterday afternoon. I am taking today and tomorrow off but I will look at this first thing on Monday morning.

Have a nice weekend,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/27/2021 12:42:39 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Golden, Rebecca [RebeccaG@thekraftgroup.com]; Sparks, Mallory S. [mallorysparks@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning, Jim,

Thank you for getting back to us. We will look forward to that additional information and potentially scheduling a meeting to discuss the same.

In the meantime, can you provide an update of when you might have comments on the draft standard terms of the consent decree that we shared with you on October 8, 2021?

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, October 27, 2021 8:37 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy Catawba, LLC _ORP Control Strategy

Pete Cleveland is out of the office this week. Another one of the mill's engineers will review this so that he can answer your questions. I will speak with him today to determine when he will be ready for that conversation.

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, October 26, 2021 at 10:47 AM
To: Weber, Steven D. <steveweber@parkerpoe.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Golden, Rebecca <RebeccaG@thekraftgroup.com>, Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba, LLC _ORP Control Strategy

Good morning,

Thank you for the ORP control strategy information you provided EPA last week. Unfortunately, it does not answer many of EPA's key questions (as identified in the 10/13/21 email attached and pasted below for convenience).

We think it may make sense to arrange a call with the EPA team and New Indy's technical staff present, as soon as possible, so that EPA can more efficiently get its questions answered. Would this work for New Indy? If so, what times are you available? Here are some possible options from EPA:

Wednesday: 10:30 am – 11:30 am, 1:00 pm-2:00 pm, and 2:30 – 4:00 pm
Thursday: 10 am – 1:00 pm, and 2:00 pm-4:00 pm
Friday: 11:30 pm – 2:00 pm

Please let me know when you get a chance.

Regards,
Marirose

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

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www.parkerpoe.com

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Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Foley, Patrick [Foley.Patrick@epa.gov]
Sent: 10/27/2021 1:16:19 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Denis,

Thanks Denis. I only looked for it because you sent the other paper. After reading what you sent which also a great summary of how ORD is used, I wondered if there was something that had numbers in it somewhere. Page 2 of the paper I sent has that table with this in it:

Ex. 5 Attorney Client (AC)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Wednesday, October 27, 2021 8:54 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Pat,
That was a good article. Great find.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Wednesday, October 27, 2021 8:22 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Thanks Denis. Here is another one, a little more technical and more oriented to wastewater. As you said before Denis, we need more details on locations and target values than we have.

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Wednesday, October 27, 2021 8:10 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose,

Ex. 5 Attorney Client (AC)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 25, 2021 9:02 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Thanks, Denis and Pat,

What if we set up a call with New Indy's technical staff, to give you the opportunity to ask questions and to ask for any additional information you might need to better understand how the ORP monitoring works? Would that be helpful?

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 21, 2021 9:22 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Agreed.

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 21, 2021 8:54 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Ex. 5 Attorney Client (AC)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 21, 2021 6:40 AM
To: Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Good morning,

Please see the attached information about the ORP monitoring program that we received from New Indy yesterday afternoon. I am taking today and tomorrow off but I will look at this first thing on Monday morning.

Have a nice weekend,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 11/1/2021 6:03:55 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Adding Brendan Held to the New Indy Meeting

Ex. 5 AC / Ex. 7(A)

proposed. His only limitation is that he has another obligation at 9:30 am.

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 10:49:58 AM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Held, Brendan [Held.Brendan@epa.gov]
Subject: New Indy - revised term sheet/Appendix A (work to be performed)
Attachments: 11-3-21 Draft Appendix A - Work to be Performed.docx; New-Indy Catawba's 10-8-21 response to EPA Termsheet Proposal REDLINE - For Discussion Purposes.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions or concerns about the draft. My goal is to provide this to New Indy before Friday, if possible.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:15:34 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/3/2021 1:27:45 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 9:16 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:42:43 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Good to know. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 9:28 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:59:55 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Hi Todd,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Good to know. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 11/3/2021 2:13:29 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Marirose,
Let's discuss it at the 1 pm meeting. Ex. 5 AC / Ex. 7(A)
general discussion going with everyone.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 10:00 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Hi Todd,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Wednesday, November 3, 2021 9:43 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Good to know. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 9:28 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 9:16 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 2:15:34 PM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Sounds good. Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Wednesday, November 3, 2021 10:13 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Marirose,
Let's discuss it at the 1 pm meeting. That way, we can think of any implications under a shorter time period and get a general discussion going with everyone.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 10:00 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>

Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Hi Todd,

Ex. 5 DP / AC/ Ex. 7(A)

With that said, are you ok with New Indy's requested change?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Sent: Wednesday, November 3, 2021 9:43 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Good to know. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 9:28 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Ex. 5 DP / AC/ Ex. 7(A)

https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/schedules/final/1044.aspx

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
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To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 DP / AC/ Ex. 7(A)

Ex. 5 DP / AC/ Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 11/3/2021 2:28:29 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy CD provision re record retention

Ex. 5 DP / AC/ Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 9:28 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD provision re record retention

Ex. 5 DP / AC/ Ex. 7(A)

https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/schedules/final/1044.aspx

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 9:16 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 DP / AC/ Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/4/2021 11:08:35 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy Consent Decree

Good morning Marirose,

Ex. 5 DP / AC/ Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Wednesday, November 3, 2021 5:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy Consent Decree

Hey Todd,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 4:33 PM
To: Foley, Patrick <Foley.Patrick@epa.gov>
Subject: New Indy Consent Decree

Hi Pat,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/8/2021 11:44:05 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
CC: Foley, Patrick [Foley.Patrick@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
Subject: New Indy Appendix A/Term Sheet

11-4-21 Draft Appendix A - Work to be Performed.docx

Good morning team,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thank you!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/18/2021 10:15:46 AM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: New Indy - question about H2S
Attachments: New-IndyDHEC-CAP-report-Rev-2.pdf; Weston Solutions Inc. - New-Indy Catawba LLC - Odor Testing Report - 4-16-21.pdf

Good morning,

Hope you all had a nice weekend. Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/18/2021 11:32:24 AM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express
Attachments: RE: Monitor Station #3 and Catawba Express

Thanks! Here is the email I sent to Jim and Steve this morning.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 17, 2021 4:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express

I'm ok with you following up with New Indy.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 17, 2021 4:38 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: Re: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express

Thanks, Todd!!

Ex. 5 Attorney Client (AC); 7(A)

I know it's late in the day today, so if you have already signed off, just let me know in the morning when you get a chance.

Thank you again for chasing this down!
Marirose

Sent from my iPhone

On Nov 17, 2021, at 3:48 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division

U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 17, 2021 2:36 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express

I don't think we've gotten a response from Richard. Todd, I'm sure you are swamped but can one of you give him a call? I'd like to get back to Jim Cobery today, if possible (either to set up a call for further discussion or to agree to keep #3 at its current location).

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 17, 2021 11:32 AM
To: Guillot, Richard <Guillot.Richard@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express

Hey Adam and Richard,

Ex. 5 Deliberative Process (DP)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pete Cleveland <pete.cleveland@new-indycb.com>
Sent: Wednesday, November 17, 2021 11:10 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dan Mallett <dan.mallett@new-indycb.com>
Subject: New-Indy Ambient Monitoring - Station 3 Site Upgrade vs Catawba Express

All:

Apologies for the delayed completion on this issue.

Attached is a Powerpoint summation of what we have compiled in our site assessments and proposed path forward for Station 3 and the potential utilization of Catawba Express.

Summarily, we continue to plan to upgrade Station 3's existing location to achieve compliance with siting criteria and keep the monitor at that site. Additionally, we plan to locate an Acrulog monitor at the Catawba Express to satisfy EPA's desire to be monitoring in that location. The details supporting our proposed plan of action are attached, and we should schedule another call to review this information collaboratively to reach a final agreement.

We are undergoing an ISO14001 Audit right now, and I'm traveling this afternoon and Thursday. I have an open slot on Friday morning from 9:30-11:00, but otherwise will not be available until next week.

Please advise regarding the follow-up call scheduling on your end, and we will get this on the schedule and wrap up the effort.

Regards,

PETE CLEVELAND
Technical Manager
Office: (803) 981-8206
<image001.png>

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/18/2021 11:31:21 AM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/18/2021 5:21:01 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: FW: Monitor Station #3 and Catawba Express

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Thursday, November 18, 2021 12:17 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>

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Sent: 11/18/2021 8:12:29 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Good morning Jim and Steve,

Ex. 7(A)

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Marirose

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Senior Air Enforcement Attorney
Air & EPCRA Law Office
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From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/18/2021 8:16:06 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy - NALCO fog

Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Ex. 7(A)

Jim

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Marirose J. Pratt
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Air & EPCRA Law Office
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To: Russo, Todd [Russo.Todd@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Re: New Indy - NALCO fog

Ex. 7(A)

Marirose

Sent from my iPhone

On Nov 18, 2021, at 3:16 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 7(A)

Regards,

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Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Policy, Oversight and Liaison Office
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Hi All,

Ex. 7(A)

Thanks!
Marirose

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Ex. 7(A)

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From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/19/2021 12:24:19 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy - NALCO fog

Ah, thanks Marirose. Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
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pratt.marirose@epa.gov

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Ex. 7(A)

Ex. 7(A)

Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/29/2021 5:00:47 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.

Pratt, Marirose shared a file with you

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Ex. 5 AC / Ex. 7(A)

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 11/30/2021 4:00:03 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Taylor, Kevin [Taylor.Kevin@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: New Indy cd follow up

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 2:21:26 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Comments on New Indy Appendix A

12-2-21 EPA's comments on New Indy's 11-29-21 Appendix A redline.docx
12-2-21 Draft Appendix A - CLEAN.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 12/2/2021 5:30:15 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: Comments on New Indy Appendix A

No comments from me. Your responses to New Indy's proposed changes were well written.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 9:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Comments on New Indy Appendix A

12-2-21 EPA's comments on New Indy's 11-29-21 Appendix A redline.docx
12-2-21 Draft Appendix A - CLEAN.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Dressler, Jason [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2F035FDC7EB94B8B922D5163E4F0EF80-DRESSLER, JASON]
Sent: 12/2/2021 5:53:23 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Taylor, Kevin [Taylor.Kevin@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: Comments on New Indy Appendix A

Marirose,

I reviewed the document this morning and corrected one minor typo in one of the last couple of paragraphs. I have no other comments or edits and agree with Kevin regarding the responses.

Jason

From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Thursday, December 02, 2021 12:30 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: Comments on New Indy Appendix A

No comments from me. Your responses to New Indy's proposed changes were well written.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 9:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Comments on New Indy Appendix A

12-2-21_EPA's comments on New Indy's 11-29-21 Appendix A redline.docx
12-2-21__Draft Appendix A - CLEAN.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 12/2/2021 6:25:08 PM
To: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Taylor, Kevin [Taylor.Kevin@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: Comments on New Indy Appendix A

No comments from me. **Ex. 5 AC / Ex. 7(A)**

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Dressler, Jason <Dressler.Jason@epa.gov>
Sent: Thursday, December 2, 2021 12:53 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Taylor, Kevin <Taylor.Kevin@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: Comments on New Indy Appendix A

Marirose,

I reviewed the document this morning and corrected one minor typo in one of the last couple of paragraphs. I have no other comments or edits and agree with Kevin regarding the responses.

Jason

From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Thursday, December 02, 2021 12:30 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: Comments on New Indy Appendix A

No comments from me. Your responses to New Indy's proposed changes were well written.

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 9:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Comments on New Indy Appendix A

12-2-21_EPA's comments on New Indy's 11-29-21 Appendix A redline.docx
12-2-21_Draft Appendix A - CLEAN.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 8:39:12 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: New Indy CD draft
Attachments: **Ex. 5 AC / Ex. 7(A)**

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, December 2, 2021 1:01 PM
To: Russo, Todd; Denis Kler; Taylor, Kevin; Mills, Andrew; Pratt, Marirose; Dressler, Jason
Subject: Quick Check in - New Indy
When: Thursday, December 2, 2021 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams meeting

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Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 12/3/2021 2:28:56 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Ex. 7(A)

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/2/2021 9:24:53 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: FW: New Indy - Draft CD and Appendix A
Attachments:

Ex. 5 AC / Ex. 7(A)

Importance: High

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 4:22 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy - Draft CD and Appendix A
Importance: High

Good Afternoon,

Ex. 7(A)

Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 9:47:26 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: draft SJM for New Indy
Attachments: 12-1-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

Hi Todd,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/7/2021 10:19:57 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: draft SJM for New Indy
Attachments: 12-1-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

ENFORCEMENT CONFIDENTIAL

Hi Carol – in anticipation of reaching a settlement with New Indy, the settlement justification memo has been prepared. I am sending it to you now so you have more time for review. ORC has a discussion scheduled with the New Indy attorneys tomorrow morning about the final items for the CD and if agreement is reached, then the civil penalty of Ex. 7(A) will be proposed. I'm hoping we can reach agreement on everything this week and begin routing the CD package next week.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 4:47 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: draft SJM for New Indy

Hi Todd,

Here is the current draft for Carol's advanced review if she has time.

Do you know if we need to prepare a briefing sheet for the RA to go along with the SJM?

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023

Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 9:10:58 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New-Indy - Consent Decree

Hi Tim,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Frederick, Tim [Frederick.Tim@epa.gov]
Sent: 12/13/2021 9:43:38 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 4:11 PM
To: Frederick, Tim <Frederick.Tim@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New-Indy - Consent Decree

Hi Tim,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Frederick, Tim [Frederick.Tim@epa.gov]
Sent: 12/13/2021 10:07:56 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

Todd –

Ex. 5 AC / Ex. 7(A)

Tim

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 4:59 PM
To: Frederick, Tim <Frederick.Tim@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
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To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Russo, Todd <Russo.Todd@epa.gov>
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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New-Indy - Consent Decree

Hi Tim,

Ex. 5 AC / Ex. 7(A)

Thanks,
Todd

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 10:30:48 AM
To: Frederick, Tim [Frederick.Tim@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New-Indy - Consent Decree

Thanks, Tim!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, December 13, 2021 5:08 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Todd –

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Tim

From: Russo, Todd <Russo.Todd@epa.gov>
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To: Frederick, Tim <Frederick.Tim@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 DP / Ex. 7(A)

Regards,

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Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Hi Tim,

Ex. 5 DP / Ex. 7(A)

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Enforcement and Compliance Assurance Division
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/14/2021 1:01:57 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy briefing sheet and press release
Attachments: New Indy draft briefing sheet 2021 Dec 14.docx

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 6:33 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy briefing sheet and press release

Good morning,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/14/2021 1:20:23 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy briefing sheet and press release
Attachments: New Indy draft briefing sheet 2021 Dec 14.docx

I meant to copy you.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 14, 2021 8:02 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy briefing sheet and press release

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 6:33 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy briefing sheet and press release

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/10/2021 2:48:02 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy draft RA briefing
Attachments: New Indy draft briefing sheet 2021 Dec 10.docx

Hi All,

Please find attached an updated draft, correcting a few typos, and saved with today's date.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Pratt, Marirose
Sent: Friday, December 10, 2021 7:24 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Good morning everyone,

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, December 9, 2021 4:05 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Hi Team – I'm sending my suggested revisions to the RA Briefing sheet to Marirose now. So, in the interest of version control, if you don't mind, please continue to hold off on making edits until Marirose is finished.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, December 9, 2021 3:06 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Sorry Valerie. I should have sent it as a shared file.

Denis B. Kler
U.S. EPA Region 4

Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy draft RA briefing

Hi Team - I am making revisions to the briefing paper now so please hold off on any changes you may have – to minimize version confusion.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, December 9, 2021 2:36 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy draft RA briefing

Team,
Attached is a revised version of the draft RA briefing sheet as of 2:36 pm on 12/9/2021.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy draft RA briefing sheet

Ex. 5 AC / Ex. 7(A)

Best,
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: 12/10/2021 12:24:00 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: RE: New Indy draft RA briefing
Attachments: New Indy draft briefing sheet 2021 Dec 8 vn + mjp edits.docx

Good morning everyone,

Ex. 5 AC / Ex. 7(A)

Please feel free to further edit/revise.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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U.S. EPA Region 4
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Phone: 404-562-9199

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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy draft RA briefing

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Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy draft RA briefing sheet

Team,

Ex. 5 AC / Ex. 7(A)

Best,
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 9:59:20 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Subject: RE: New-Indy - Consent Decree

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New-Indy - Consent Decree

Hi Tim,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 9/28/2021 6:05:53 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: Seeking two dates for New Indy

Valerie,

New Indy restarted the stripper on May 3, 2021. I copied and pasted the email below from New Indy about it, and I'll forward the email to you so you have the email chain.

I'll look for the date the steam stripper was taken offline, but I may need help with this one.

Todd

From: Dan Mallett Dan.Mallett@new-indycb.com
Sent: Tuesday, May 4, 2021 4:07 PM
To: Kler, Denis Kler.Denis@epa.gov
Cc: Pratt, Marirose Pratt.Marirose@epa.gov; Russo, Todd Russo.Todd@epa.gov; Dressler, Jason Dressler.Jason@epa.gov; Mills, Andrew mills.andrew@epa.gov; Taylor, Kevin Taylor.Kevin@epa.gov; Pete Cleveland pete.cleveland@new-indycb.com
Subject: RE: New Indy steam stripper

Stripper returned to service slowly overnight into today. To be determined, but we estimate 450 gpm to the stripper and remainder to the hardpipe for treatment in the ASB. I will gladly provide you an update as we finetune the operation. Remember, unit hasn't run since late August 2020.

DANIEL MALLETT
Environmental Manager
Office: (803) 981-8010
Mobile: (207) 951-6216

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Agency may contain CONFIDENTIAL and legally protected information. If you are not the addressee or intended recipient, please do not read, print, copy, use or disclose this communication to others; also, please notify the sender by replying to this message, and then delete it from your system. Thank you.

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, September 28, 2021 1:42 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: Seeking two dates for New Indy

Ex. 5 Attorney Client (AC)

Thank you very much!

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Dressler, Jason [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2F035FDC7EB94B8B922D5163E4F0EF80-DRESSLER, JASON]
Sent: 9/28/2021 6:15:52 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: Seeking two dates for New Indy

Todd,

It appears that the forwarded message below also provides a rough estimate of when the steam stripper originally went offline.... "Remember, unit hasn't run since late August 2020."

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, September 28, 2021 2:06 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Seeking two dates for New Indy

Valerie,

New Indy restarted the stripper on May 3, 2021. I copied and pasted the email below from New Indy about it, and I'll forward the email to you so you have the email chain.

I'll look for the date the steam stripper was taken offline, but I may need help with this one.

Todd

From: Dan Mallett Dan.Mallett@new-indycb.com
Sent: Tuesday, May 4, 2021 4:07 PM
To: Kler, Denis Kler.Denis@epa.gov
Cc: Pratt, Marirose Pratt.Marirose@epa.gov; Russo, Todd Russo.Todd@epa.gov; Dressler, Jason Dressler.Jason@epa.gov; Mills, Andrew mills.andrew@epa.gov; Taylor, Kevin Taylor.Kevin@epa.gov; Pete Cleveland pete.cleveland@new-indycb.com
Subject: RE: New Indy steam stripper

Stripper returned to service slowly overnight into today. To be determined, but we estimate 450 gpm to the stripper and remainder to the hardpipe for treatment in the ASB. I will gladly provide you an update as we finetune the operation. Remember, unit hasn't run since late August 2020.

DANIEL MALLETT
Environmental Manager
Office: (803) 981-8010
Mobile: (207) 951-6216

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, September 28, 2021 1:42 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: Seeking two dates for New Indy

Ex. 5 Attorney Client (AC)

Thank you very much!

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/1/2021 10:07:21 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: RE: New Indy - Toxicologist
Attachments: 9-29-21 Osa Declaration filed.pdf

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, September 30, 2021 4:23 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New Indy - Toxicologist

Valerie and Marirose,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Rinck, Todd <Rinck.Todd@epa.gov>
Sent: Thursday, September 30, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Subject: RE: New Indy - Toxicologist

Todd,

Yes, Rashidra Walker, with assistance from Ofia Hodoh, will also assist. We appreciate that Tim Frederick is willing to stay involved.

Todd

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, September 30, 2021 2:51 PM
To: Rinck, Todd <Rinck.Todd@epa.gov>
Cc: Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - Toxicologist

Hi Todd,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/1/2021 11:41:25 AM
To: Frederick, Tim [Frederick.Tim@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: 9-29-21 Osa Declaration filed.pdf

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/1/2021 12:03:43 PM
To: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd

<Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/1/2021 12:25:32 PM
To: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 8:13 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Hi Valerie,

Ex. 5 AWP / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

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Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 12:47:11 PM
To: Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/4/2021 12:54:21 PM
To: Dressler, Jason [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 8:46 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office

U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>

Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Frederick, Tim [Frederick.Tim@epa.gov]
Sent: 10/4/2021 2:00:07 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

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Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 3:20:50 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Thank you, Tim!

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

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Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Message

From: Frederick, Tim [Frederick.Tim@epa.gov]
Sent: 10/4/2021 3:55:15 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 11:21 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Thank you, Tim!

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd

<Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

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Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4

Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 3:48:30 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>
Attachments: FW: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

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Tim

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Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

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Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 12:46:22 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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

From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie

<Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Hodoh, Ofia [Hodoh.Ofia@epa.gov]
Sent: 10/4/2021 3:56:41 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Valerie, we are working on responding to this request and should be able to provide answers within the next few days.

Ex. 5 AC / Ex. 7(A)

V/R,
Ofia Hodoh, DrPH
Chief, Communities and Air Toxics Section
Air and Radiation Division
U.S. EPA Region 4
61 Forsyth St. SW, Atlanta, Georgia 30303
Office (404) 562-9176 ***EPA Mobile*** (404) 809-1850
Email hodoh.ofia@epa.gov

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 11:49 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division

U.S. EPA Region 4
Tel: (404) 562-9194

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To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/6/2021 5:24:51 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AWP / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose
Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 4:13:50 PM
To: Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Awesome, thank you for this quick response and all this great work!

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Hodoh, Ofia <Hodoh.Ofia@epa.gov>
Sent: Monday, October 4, 2021 11:57 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

V/R,
Ofia Hodoh, DrPH
Chief, Communities and Air Toxics Section
Air and Radiation Division
U.S. EPA Region 4
61 Forsyth St. SW, Atlanta, Georgia 30303
Office (404) 562-9176 ***EPA Mobile*** (404) 809-1850
Email hodoh.ofia@epa.gov

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 11:49 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber

<Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:20 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
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Or call in (audio only)
+1 470-705-2279,,530869654# United States, Atlanta
Phone Conference ID: 530 869 654#
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/3/2021 1:23:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]

Subject: New Indy - term sheet/Appendix A further discussion if needed
Location: Microsoft Teams Meeting

Start: 11/3/2021 5:00:00 PM
End: 11/3/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew
Optional Attendees: Foley, Patrick; Secrest, Cary; Fried, Gregory; Nowell, Valerie; Caballero, Kathryn

<!--[if lte mso 15 || CheckWebRef]-->

Pratt, Marirose has shared a OneDrive for Business file with you. To view it, click the link below.

11-3-21 Draft Appendix A - Work to be Performed.docx

<!--[endif]-->

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Phone Conference ID: 542 059 235#
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 10:27:18 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject:
Attachments:

Ex. 5 AC / Ex. 7(A)

Location: Microsoft Teams Meeting

Start: 11/30/2021 3:00:00 PM
End: 11/30/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew
Optional Attendees: Caballero, Kathryn; Nowell, Valerie

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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+1 470-705-2279,918134724# United States, Atlanta
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indv - Appendix A discussion
Attachments:

Ex. 5 AC / Ex. 7(A)

Location:

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Ex. 5 AC / Ex. 7(A)

Thanks!

Microsoft Teams meeting

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Phone Conference ID: 611 108 519#
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: Ex. 5 AC / Ex. 7(A)
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Ex. 5 AC / Ex. 7(A)

Thanks!

Microsoft Teams meeting

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Official Meeting/Briefing Request for the RA or DRA

Has your Division Director been briefed on this subject, and is he/she aware of your request to set up this meeting? Yes __x__ No ____

NOTE: A briefing sheet needs to accompany this meeting request

Date of Request: 12/09/2021

Requestor: Todd Russo / Jason Dressler
Phone No.: 2-9194 / 2-9208

Name of Meeting: New Indy Settlement

Purpose of Meeting: Brief the RA on a proposed settlement agreement with New Indy Containerboard (New Indy) in Catawba, South Carolina to resolve a Clean Air Act Section 303 Imminent and Substantial Endangerment Emergency Order.

Is the Meeting Date Sensitive? Yes X No ☐	**Deadline Date: 12/23/2021**	
Meeting Date/Time Preference #1	Date: 12/15/2021	Time: 1:00 PM
Meeting Date/Time Preference #2	Date: 12/15/2021	Time: 2:00 PM
Meeting Date/Time Preference #3	Date: 12/16/2021	Time: 11:00 AM

NOTE: All requested dates should be at least one week out. This request will be discussed on Friday.

Duration of Meeting: Unless otherwise indicated meetings will be scheduled for 45 minutes: 30 mins to present/15 mins Q&A
Do you need a conference number: Yes _____ NO _X_
The meeting will be conducted virtually via Microsoft TEAMs.

Background:

The U.S. Department of Justice (DOJ) and the EPA are finalizing a settlement agreement with New Indy to resolve a Clean Air Act (CAA) 303 Imminent and Substantial Endangerment Emergency Order (303 Order). The EPA issued the 303 Order because we found that hydrogen sulfide (H2S) emissions from the New Indy facility located in Catawba, South Carolina were above health-based levels. The 303 Order directs New Indy to keep H2S emissions leaving the facility as measured at the fence line below the health-based levels established in the 303 Order. New Indy exceeded the limits of the 303 Order on multiple occasions, therefore, DOJ filed a lawsuit in the U.S. District Court, and they filed a proposed joint Consent Order to stay the case and require New Indy to continue to comply with the fence line monitoring and H2S limits established in the 303 Order. The Court approved the stay and the Consent Order is effective until December 30, 2021.

Expectations from Meeting (Please be specific: Are you looking for a decision, guidance?)
If you are looking for a decision, give a date by when this decision must be made. **12/23/2021**

Ex. 5 DP / Ex. 7(A)

No. of Participants:	Names of Required Invitees:	Optional Invitees:

(It is very important that the RA's office is aware of how many and whom...no surprises; i.e., we were told 2 staff members and 10 show up)	Carol Kemker Leif Palmer Suzanne Rubini Todd Russo Marirose Pratt Valerie Nowell Jason Dressler Denis Kler Larry Lamberth Keriema Newman Kevin Taylor Andrew Mills	

Requested Meeting Location:
Please email **final** slides, background documents etc., to **Felicia Williams, Brandy Hairston and Aaryn Jones** 2-days prior to the scheduled meeting; failure to receive finalized documentation may cause your meeting to be rescheduled. Your Power-point presentation (if any) will be loaded and ready for showing at the scheduled meeting. All slides and background information will be printed for the RA, DRA and the SA by the RA office. **For a*ny critical issues that need to be elevated, please email Aaryn Jones.

RA BRIEFING
New Indy Catawba, LLC Consent Decree
(MARK SECTIONS "DELIBERATIVE OR ATTORNEY/CLIENT PRIVILEDGE" IF NECESSARY)

Date Updated: N/A. Date Originally Prepared: 12/8/2021.

EPA Goal Supported: Improve air quality; Settlement Agreement

Issue: Region 4's Enforcement and Compliance Assurance Division and Office of Regional Counsel request the Regional Administrator's concurrence on a consent decree resolving the EPA's imminent and substantial endangerment lawsuit against New Indy Catawba, LLC (New Indy). The EPA filed this lawsuit on July 12, 2021, under Section 303 of the Clean Air Act (CAA), alleging that New Indy was causing or contributing to an imminent and substantial endangerment to public health and the environment by emitting high concentrations of hydrogen sulfide (H2S) from its pulp and paper mill in Catawba, South Carolina.

Location: Catawba, South Carolina

Environmental Justice:

1. The New Indy facility does not appear to be located in a potential Environmental Justice area based on traditional EJScreen. Air emissions from the New Indy facility covers a large geographic area including the Catawba Indian Nation, which is located about three miles from the facility, and is one of the populations being impacted.
2. The environmental benefits from this settlement will reach those populations in the impacted areas.
3. Region 4 worked with our state and local partners in South Carolina and North Carolina, and the Catawba Indian Nation, to communicate and inform the residents of the area with updates about this matter.

Context:

1. In April of 2021, the South Carolina Department of Health and Environmental Control contacted Region 4 regarding numerous odor and public health complaints in the area of Catawba, South Carolina.
2. After a thorough investigation, the EPA determined that the odors and health impacts reported were caused by H2S emissions coming from the New Indy facility. New Indy had recently switched from producing bleached white paper to unbleached pulp and related products. As part of that process change, New Indy stopped using its steam stripper to treat foul condensate (a waste generated from the pulping process) and instead began sending this material to its wastewater treatment system for treatment.
3. During its investigations in April, the EPA inspectors observed major issues with New Indy's wastewater treatment system, including multiple broken aerators and significant build-up of solids. The EPA also detected concentrations of H2S on and off site of the facility above health-based limits for H2S.
4. On May 13, 2021, the EPA issued a CAA Section 303 emergency Order to New Indy requiring it to install three H2S monitors at its fence line and prohibiting New Indy from emitting H2S above health-based limits at those monitors.
5. Under the CAA, Section 303 Orders only last 60 days unless the EPA brings a civil action in federal court, which the EPA did on July 12, 2021 (this case). Concurrently, the EPA and New Indy filed a joint motion and proposed Order to stay the case and require New Indy to continue to comply with the H2S fence line levels until October 31, 2021. The Court approved the stay and the proposed Order on July

ED_006445A_00001122-00001

13, 2021, as well as a subsequent extension, on October 29, 2021. The stay currently expires on December 30, 2021.

6. The EPA's and the Court's Orders set two fence line levels based on published health-based standards: 600 parts per billion (ppb) for a rolling 30-minute average and 70 ppb for a rolling seven-day average.
7. Since May, New Indy has taken numerous corrective actions, including restarting its steam stripper, fixing all of its aerators, removing solids from its wastewater treatment system, and installing a temporary cover on the post aeration tank, among others.
8. New Indy exceeded the fence line levels 28 times in June 2021 while implementing initial corrective measures and 13 times in September 2021 due to a weak black liquor spill. The H2S concentrations have been well below the health-based limits since mid-September.

Critical Messages:

Ex. 5 DP / Ex. 7(A)

Key Consent Decree Terms:

1. Foul Condensate Monitoring and Treatment - Continue to operate the steam stripper at all times except for limited periods for maintenance and monitor and treat any unstripped foul condensate sent to the wastewater treatment system.
2. Fence Line Monitoring - Continue to operate and maintain the H2S fence line monitors and comply with the fence line levels. Stipulated penalties apply to any exceedances.
3. Wastewater Treatment System - Continue corrective actions to improve and maintain the functionality of the wastewater treatment system (e.g., solids removal, aerator maintenance, and chemical additions).
4. Post Aeration Tank - Install and maintain a cover and carbon filtration system on the tank. Monitor the cover on the tank to ensure no leaks.
5. Black Liquor Secondary Containment - Install and maintain a functioning secondary containment system around the black liquor storage area to prevent uncontrolled black liquor releases from reaching the wastewater treatment system.
6. State and Title V Permits - Apply for and receive federally enforceable permits incorporating injunctive relief terms so that they live on after the consent decree is terminated.
7. Duration – New Indy must complete all injunctive relief and operate for at least three years without any fence line exceedances before it is eligible to terminate the consent decree.
8. New Indy estimated that it has already spent $8.4 million implementing corrective actions and that it may spend another $42 million over the next three years. The EPA has requested more specific information about these estimates.
9. New Indy will pay a civil penalty of $1,100,000.

Recommendation:

Ex. 5 DP / Ex. 7(A)

Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:03 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: Ex. 5 AC / Ex. 7(A)
Attachments:
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:20 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/3/2021 8:32:30 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]
Subject: New Indy Consent Decree

Hi Pat,

Ex. 5 AC / Ex. 7(A)

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 11/3/2021 9:54:07 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]
Subject: Re: New Indy Consent Decree

Many thanks!

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

On Nov 3, 2021, at 5:45 PM, Foley, Patrick <Foley.Patrick@epa.gov> wrote:

Hey Todd,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 4:33 PM
To: Foley, Patrick <Foley.Patrick@epa.gov>
Subject: New Indy Consent Decree

Hi Pat,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:03 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Tentative

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose

Microsoft Teams meeting

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Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 10/5/2021 1:57:43 AM
To: Foley, Patrick [Foley.Patrick@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session

Pat,

Ex. 5 AC / Ex. 7(A)

Greg

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Foley, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B9036C82EF5145318BEAACD0E2CC6281-PFOLEY]
Sent: 11/3/2021 9:44:59 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy Consent Decree

Hey Todd,

Ex. 5 DP / Ex. 7(A)

Pat

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 4:33 PM
To: Foley, Patrick <Foley.Patrick@epa.gov>
Subject: New Indy Consent Decree

Hi Pat,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Foley, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B9036C82EF5145318BEAACD0E2CC6281-PFOLEY]
Sent: 10/5/2021 12:46:01 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Greg,

Ex. 5 DP / Ex. 7(A)

Pat

From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Monday, October 4, 2021 9:58 PM
To: Foley, Patrick <Foley.Patrick@epa.gov>
Subject: FW: New Indy - Term Sheet Working Session

Pat,

Ex. 5 DP / Ex. 7(A)

Greg

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session

When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

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Message

From: Foley, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B9036C82EF5145318BEAACD0E2CC6281-PFOLEY]
Sent: 10/5/2021 2:15:11 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: Parrish, Robert [Parrish.Robert@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

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Ex. 5 DP / Ex. 7(A)

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Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023

Fax: 404-562- 9486
pratt.marirose@epa.gov

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Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 DP / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).

(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

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U.S. EPA Region 4
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
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63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through

(5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

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Patrick

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[1] Parameters to be established.

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Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.

(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Denis,

Ex. 5 DP / Ex. 7(A)

Pat

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Ex. 5 AC / Ex. 7(A)

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U.S. EPA Region 4
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Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session

When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
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Or call in (audio only)
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Message

From: Foley, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B9036C82EF5145318BEAACD0E2CC6281-PFOLEY]
Sent: 10/7/2021 1:28:08 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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<Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Thanks, Patrick,

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Thanks!
Marirose

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Senior Air Enforcement Attorney
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Sam Nunn Atlanta Federal Center
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U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
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Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis

<Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:11 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Tentative

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose

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Message

From: Held, Brendan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9BFE6A0639DD416DA57B908BE81C571F-HELD, BRENDAN]
Sent: 12/7/2021 7:59:19 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 2:13 PM
To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Held, Brendan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9BFE6A0639DD416DA57B908BE81C571F-HELD, BRENDAN]
Sent: 12/8/2021 1:28:56 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 3:27 PM
To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Thanks, Brendan!

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Sent: Tuesday, December 7, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

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To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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61 Forsyth Street, S.W.
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 7:12:33 PM
To: Held, Brendan [Held.Brendan@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 8:27:07 PM
To: Held, Brendan [Held.Brendan@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy - ORP monitoring time average

Thanks, Brendan!

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Held, Brendan <Held.Brendan@epa.gov>
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 2:13 PM
To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Atlanta, Georgia 30303-8960
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/8/2021 1:30:01 PM
To: Held, Brendan [Held.Brendan@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Held, Brendan <Held.Brendan@epa.gov>
Sent: Wednesday, December 8, 2021 8:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 3:27 PM
To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Thanks, Brendan!

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Sent: Tuesday, December 7, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: RE: New Indy - ORP monitoring time average

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 2:13 PM
To: Held, Brendan <Held.Brendan@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:21 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:21 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; Stipulated Penalties Research v2.docx
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Please find attached the drafts of the CD and Appendix we received from New Indy yesterday evening. I am scheduling this meeting to discuss the proposed Ex. 5 AC / Ex. 7(A) if there is time.

Thanks!

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 10:27:17 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of NIC's proposed edits to Appendix A
Attachments: 11-30-21_EPA's_2nd Draft Appendix A - Work to be Performed.docx; Appendix IV - Passive Post Aeration Basin Cover System 11-29 (002).docx; Appendix V - Spill Containment 11-29 (002).docx
Location: Microsoft Teams Meeting

Start: 11/30/2021 3:00:00 PM
End: 11/30/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew
Optional Attendees: Caballero, Kathryn; Nowell, Valerie

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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+1 470-705-2279,,918134724# United States, Atlanta
Phone Conference ID: 918 134 724#
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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/4/2021 6:23:55 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 2:07 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 1:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

I hope that helps.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 8:46 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/5/2021 2:25:15 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Team

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office

Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
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Or call in (audio only)
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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/4/2021 5:52:14 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy - Toxicologist Questions
Attachments: T5 permit 2019 May 7.pdf

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England

Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/7/2021 11:57:24 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

I am good with your suggestions.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Tuesday, October 5, 2021 10:33 AM
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

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Sent: Tuesday, October 5, 2021 10:25 AM

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Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

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Ex. 5 AC / Ex. 7(A)

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Phone: 404-562-9199

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Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

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Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
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<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/7/2021 12:42:15 PM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
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Ex. 5 DP / Ex. 7(A)

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Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

---

[1] Parameters to be established.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Denis

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Denis B. Kler
U.S. EPA Region 4
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Thanks!
Marirose

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Policy, Oversight and Liaison Office
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/7/2021 12:56:54 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 8:28 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: New Indy - Term Sheet Working Session

Hi Denis,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory

[1] Parameters to be established.

<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.

(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

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Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

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Enforcement and Compliance Assurance Division

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/7/2021 1:15:10 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, October 7, 2021 9:01 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

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Policy, Oversight and Liaison Office
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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

---

[1] Parameters to be established.

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.

(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,125266760# United States, Atlanta
Phone Conference ID: 125 266 760#
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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 10/14/2021 2:06:13 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - H2S in TRS

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 14, 2021 9:47 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - H2S in TRS

Awesome!

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 14, 2021 9:26 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - H2S in TRS

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Thursday, October 14, 2021 9:08 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - H2S in TRS

Sorry, I accidently sent the email before finishing it (darn send button is under the paste options).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Thursday, October 14, 2021 9:05 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: New Indy - H2S in TRS

Following up our discussion yesterday about H2S being one of the largest components that make up TRS gases. See below.

New Indy test report dated July 21, 2021 (page17, table 2-15), data suggests that hydrogen sulfide in largest component in wastewater

New Indy test report dated August 2021 (page 3-3, table 3-1), data suggests that hydrogen sulfide in largest component in wastewater

"However, hydrogen sulfide is the predominant TRS compound emitted by kraft pulp mills." (page 2-3, EPA-450/2-78-003a, January 1978)

"However, hydrogen sulfide is the predominant TRS compound emitted by kraft pulp mills." (page 2-3, EPA-450/2-78-003b, March January 1979)

40 CFR Subpart BB, Standards of Performance for Kraft Pulp Mills
§ 60.281 Definitions.
(c) Total reduced sulfur (TRS) means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide, that are released during the kraft pulping operation and measured by Method 16.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Message

From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 9/7/2021 5:59:26 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy Meeting

Todd,
The only conflict I have is the condensate call w/ SCDHEC tomorrow 11-12.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, September 7, 2021 1:04 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>
Subject: New Indy Meeting

Hi All,

There maybe a call with New Indy tomorrow to hear their plan about minimizing H2S emissions and

Ex. 5 DP / AC / Ex. 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 11/3/2021 7:36:40 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - term sheet/Appendix A

I made few tweaks to the document, but I am not sure how you are notified of the changes I made.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 1:55 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - term sheet/Appendix A

Hi All,

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Wednesday, November 3, 2021 9:24 AM
To: Pratt, Marirose; Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew
Cc: Foley, Patrick; Secrest, Cary; Fried, Gregory; Nowell, Valerie; Caballero, Kathryn
Subject: New Indy - term sheet/Appendix A further discussion if needed
When: Wednesday, November 3, 2021 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

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+1 470-705-2279,,542059235# United States, Atlanta
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From: Kler, Denis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A9D107A0B7DF440B94C43F21CE4385E6-KLER, DENIS]
Sent: 11/30/2021 4:37:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session (steam stripper downtime)

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Ex. 5 AC / Ex. 7(A)

enis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
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Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, October 7, 2021 9:01 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

[1] Parameters to be established.

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory

<Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4

Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 DP / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 12:46:22 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; England, JJ [England.Jj@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf

Hi Todd –

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie

<Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 2:47:27 PM
To: Kler, Denis [Kler.Denis@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Denis!

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose

Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 3:46:58 PM
To: Kler, Denis [Kler.Denis@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Denis!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>;

Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 6:07:23 PM
To: Kler, Denis [Kler.Denis@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 1:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 8:46 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/4/2021 6:30:44 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Toxicologist Questions
Attachments: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 2:24 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Hope that helps.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
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Ex. 5 AWP / Ex. 7(A)

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Valerie Nowell
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Thank you.

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U.S. Environmental Protection Agency, Region 4
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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
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Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/4/2021 8:24:43 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Just let me know.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Monday, October 4, 2021 2:31 PM
To: Kler, Denis <Kler.Denis@epa.gov>
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Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 2:07 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 1:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 8:46 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM

To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/5/2021 12:24:11 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, October 4, 2021 4:25 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Just let me know.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 2:31 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
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U.S. Environmental Protection Agency, Region 4
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Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Ex. 5 AC / Ex. 7(A)

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Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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Valerie

Ex. 5 AC / Ex. 7(A)

Denis

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Hi Todd –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

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U.S. Environmental Protection Agency, Region 4
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Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England

Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

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Ex. 5 AWP / Ex. 7(A)

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

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Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [Nowell.Valerie@epa.gov]
Sent: 10/7/2021 1:01:01 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

---

[1] Parameters to be established.

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.

(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
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Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM

To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 AWP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
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Policy, Oversight and Liaison Office
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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session

When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/14/2021 1:46:53 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - H2S in TRS

Awesome!

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 14, 2021 9:26 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - H2S in TRS

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Thursday, October 14, 2021 9:08 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - H2S in TRS

Sorry, I accidently sent the email before finishing it (darn send button is under the paste options).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Thursday, October 14, 2021 9:05 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: New Indy - H2S in TRS

Following up our discussion yesterday about H2S being one of the largest components that make up TRS gases. See below.

New Indy test report dated July 21, 2021 (page17, table 2-15), data suggests that hydrogen sulfide in largest component in wastewater

New Indy test report dated August 2021 (page 3-3, table 3-1), data suggests that hydrogen sulfide in largest component in wastewater

"However, hydrogen sulfide is the predominant TRS compound emitted by kraft pulp mills." (page 2-3, EPA-450/2-78-003a, January 1978)

"However, hydrogen sulfide is the predominant TRS compound emitted by kraft pulp mills." (page 2-3, EPA-450/2-78-003b, March January 1979)

40 CFR Subpart BB, Standards of Performance for Kraft Pulp Mills
§ 60.281 Definitions.
(c) Total reduced sulfur (TRS) means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide, that are released during the kraft pulping operation and measured by Method 16.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

This is an invitation for a pre-meeting before the meeting that was scheduled for tomorrow at 1:30 with New Indy. If you have not received the 1:30 meeting invitation, please let me know an I will forward you the call-in information.

Ex. 5 AC / Ex. 7(A)

Marirose

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; Stipulated Penalties Research v2.docx
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Ex. 5 AC / Ex. 7(A)

Thanks!

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:21 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Hi Todd and any others who can join, I'd like to quickly touch base with you on New Indy's responses to our proposed stipulated penalties and what position we want to take in our next draft CD. Please let me know if this is not a great time.

New Indy's redline changes (with my notes) are attached. **Ex. 5 AC / Ex. 7(A)** this time.

Thanks!
Marirose

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Message

From: Mills, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=07B28DB4E9BA44DE9A41F208FE25B1B7-MILLS, ANDR]
Sent: 10/4/2021 4:58:57 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Looks good Marirose! Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 10:44 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; England, JJ <England.Jj@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: New Indy - Term Sheet Working Session

10-4-21_ EPA Response to NI's 1st Redline.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Tentative

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

This is an invitation for a pre-meeting before the meeting that was scheduled for tomorrow at 1:30 with New Indy. If you have not received the 1:30 meeting invitation, please let me know an I will forward you the call-in information.

I hope to receive information from New Indy's counsel about what they will be prepared to discuss before tomorrow but if not, here are some potential agenda topics:

Ex. 5 AC / Ex. 7(A)

Marirose

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 10:27:17 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of NIC's proposed edits to Appendix A
Attachments: 11-30-21_EPA's_2nd Draft Appendix A - Work to be Performed.docx; Appendix IV - Passive Post Aeration Basin Cover System 11-29 (002).docx; Appendix V - Spill Containment 11-29 (002).docx
Location: Microsoft Teams Meeting

Start: 11/30/2021 3:00:00 PM
End: 11/30/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Taylor, Kevin; Kler, Denis; Mills, Andrew
Optional Attendees: Caballero, Kathryn; Nowell, Valerie

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Sent: 12/7/2021 10:36:19 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Appendix A discussion
Attachments: 12-6-21 EPA's Draft Appendix A REDLINE.DOCX; EPA 's 3rd draft New Indy CD NICB Comments REDLINE 12-6.docx; Stipulated Penalties Research v2.docx
Location: Microsoft Teams Meeting

Start: 12/7/2021 4:00:00 PM
End: 12/7/2021 4:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Dressler, Jason; Kler, Denis; Taylor, Kevin; Mills, Andrew

Please find attached the drafts of the CD and Appendix we received from New Indy yesterday evening. I am scheduling this meeting to discuss the proposed changes to Appendix A. I'd also like to talk about Ex. 5 AC / Ex. 7(A) if there is time.

Thanks!

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:20 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Hi Todd and any others who can join, I'd like to quickly touch base with you on New Indy's responses to our proposed stipulated penalties and what position we want to take in our next draft CD. Please let me know if this is not a great time.

New Indy's redline changes (with my notes) are attached. I just want to run through the s Ex. 5 AC / Ex. 7(A) this time.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Rubini, Suzanne [Rubini.Suzanne@epa.gov]
Sent: 12/14/2021 10:37:31 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: Breaking new - New-Indy accepted final changes and is ready to execute

Incredible!!!!

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, December 14, 2021 1:42 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: Breaking new - New-Indy accepted final changes and is ready to execute

See below

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

We accept these changes. Please generate the execution version and we will arrange to have executed.

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A) Please find attached a clean draft of the CD, as well as a redline comparison to the draft I shared yesterday. Today's draft includes the civil penalty amount and the additional language you proposed yesterday with some minor revisions.

Please review the attached. If New Indy is in agreement with the language in the clean draft, please let me know and I will create clean pdf versions of the CD, and Appendices A, B, and C, and transmit the total package for New Indy's review and signature.

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

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contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

Message

From: Palmer, Leif [Palmer.Leif@epa.gov]
Sent: 12/14/2021 10:39:19 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: Breaking new - New-Indy accepted final changes and is ready to execute

Excellent news.

Leif Palmer
Regional Counsel
Office of Region Counsel
EPA Region 4
404/562-9542
770/856-2876

From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Tuesday, December 14, 2021 5:38 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: Breaking new - New-Indy accepted final changes and is ready to execute

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Sent: Tuesday, December 14, 2021 1:42 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: Breaking new - New-Indy accepted final changes and is ready to execute

See below

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
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Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

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Please review the attached. If New Indy is in agreement with the language in the clean draft, please let me know and I will create clean pdf versions of the CD, and Appendices A, B, and C, and transmit the total package for New Indy's review and signature.

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

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CARMEL, INDIANA 46032

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/7/2021 1:38:57 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Thanks, Valerie!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, December 7, 2021 7:22 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Hi Marirose –

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 6:46 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Good morning,

Ex. 5 AWP / Ex. 7(A)

I will look for a time later today for us to all meet and discuss next steps.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, December 6, 2021 5:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New-Indy Catawba Redline of CD - 12-6-21 - Confidential Draft

Marirose:

Attached are New-Indy Catawba's comments on the draft CD and Appendix A . We also are providing a stipulated penalties research document supporting the proposed stipulated penalties. Please let us know if you have questions. Thanks.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 2:32:10 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

This is an invitation for a pre-meeting before the meeting that was scheduled for tomorrow at 1:30 with New Indy. If you have not received the 1:30 meeting invitation, please let me know an I will forward you the call-in information.

I hope to receive information from New Indy's counsel about what they will be prepared to discuss before tomorrow but if not, here are some potential agenda topics:

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,478157493# United States, Atlanta
Phone Conference ID: 478 157 493#
Find a local number | Reset PIN

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Learn More | Meeting options

Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:21:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

Ex. 5 AC / Ex. 7(A)

Microsoft Teams meeting

[1] The 70 ppb standard is supposed to measure "chronic" exposure. The average is unduly influenced by high readings and thus does not address chronic. By requiring 5 days in a 7 day period, this is more likely to reflect a chronic issue.

Join on your computer or mobile app
Click here to join the meeting

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+1 470-705-2279,,454270243# United States, Atlanta
Phone Conference ID: 454 270 243#
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 12:54:21 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]

Subject: New Indy CD - stipulated penalties discussion
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_US_2d_draft_11-1-21.docx
Location: Microsoft Teams Meeting

Start: 11/1/2021 3:00:00 PM
End: 11/1/2021 3:30:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd
Optional Attendees: Nowell, Valerie; Dressler, Jason; Taylor, Kevin; Mills, Andrew; Kler, Denis

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
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Phone Conference ID: 530 869 654#
Find a local number | Reset PIN

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/1/2021 12:13:26 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Hi Valerie,

Ex. 5 AWP / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office

U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/1/2021 1:57:39 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Subject: RE: New Indy - Toxicologist Questions

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Ex. 5 AWP / Ex. 7(A)

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Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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intended recipient, please do not read, print, copy, use or disclose this communication to others; also, please notify the sender by replying to this message, and then delete it from your system. Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/1/2021 2:03:43 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Toxicologist Questions
Attachments: 9-29-21 Osa Declaration filed.pdf

Hi Todd,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 8:13 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Hi Valerie,

Ex. 5 AWP / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: England, JJ [England.Jj@epa.gov]
Sent: 10/1/2021 4:51:48 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/6/2021 12:31:05 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: RE: New Indy 1st draft CD.

No! My computer was acting up yesterday. When I sent that email it attached a much earlier version. I sent the most current versions this morning, attached again for ease of reference.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Wednesday, October 6, 2021 8:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy 1st draft CD.

Is this the most current version?

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>

Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi Steve,

Please find attached a revise clean draft CD that (after removing the comment bubbles), I think is ready to transmit to New Indy. I've also included a redline comparison of this revised draft to the original draft you sent us.

Note – I do not totally trust that the redline captures everything (but I wanted to get something to you) because it looks like some of the changes I made in the clean version are not showing up in the redline version. I think something is wrong with my compare file function. I'm not sure what is going on and will try to send a revised redline if I can figure it out.

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/4/2021 3:14:31 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

As I just mentioned on the phone...

Ex. 5 AWP / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 11:07 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 10:44 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; England, JJ <England.Jj@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: New Indy - Term Sheet Working Session

10-4-21 EPA Response to NI's 1st Redline.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 10/7/2021 1:15:10 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, October 7, 2021 9:01 AM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AWP / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

---

[1] Parameters to be established.

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AWP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.

(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

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Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/15/2021 4:07:50 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Marirose, I have no concerns. Thanks for keeping us up-to-date on this fast-moving situation. On my end, our new Division Director started this week (Mary Greene), and, as you would expect, it has been challenging given the massive computer issues we have at EPA. I am working through many fire drills and still catching up on emails. I do need to send some comments on the brief (nothing major) to Steve this afternoon.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 12:00 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Thanks, Katheryn,

Ex. 5 AWP / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Friday, October 15, 2021 11:48 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

John intended to share this with you as well. He's out of the office until next week and we could follow up then if there are any questions.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: John Wilhelmi <John.Wilhelmi@erg.com>
Sent: Friday, October 15, 2021 3:24 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

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Hi Kathryn –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

John Wilhelmi
Vice President, Environmental and Occupational Health
Eastern Research Group, Inc. (ERG)
(617) 823-7985
www.erg.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 11:10 AM
To: John Wilhelmi <John.Wilhelmi@erg.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

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Hi John,

Ex. 5 AC / Ex. 7(A)

Please let us know your thoughts when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/15/2021 5:58:20 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/15/2021 6:09:04 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 2:02 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 6:11:53 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in
Attachments: New Indy - Term sheet follow up

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/15/2021 6:39:42 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 2:12 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 6:54:14 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in
Attachments: FW: New Indy - H2S in TRS

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 2:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 2:12 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

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Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <malloryspark s@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/15/2021 7:34:20 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 3:27 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 2:09 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 2:02 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
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Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

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Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/15/2021 9:22:52 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 3:27 PM
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Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
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Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

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Ex. 7(A)

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Marirose

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 10/15/2021 10:54:39 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: Re: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AWP / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 3:27 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

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Sent: Friday, October 15, 2021 2:02 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

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To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>

Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/1/2021 1:30:18 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy draft CD
Attachments: ENV_ENFORCEMENT-#3014725-v1-nic_settle_CD_-_NI_s_first_comments_on_US_first_draft_-_STeve_O_comments.docx

Hi Valerie,

Ex. 5 AC / Ex. 7(A)

Let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, November 1, 2021 9:25 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy draft CD

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/9/2021 5:17:19 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Revised draft CD and Appendix A/term sheet

Thanks, Valerie,

Ex. 5 AWP / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, November 9, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Revised draft CD and Appendix A/term sheet

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, November 9, 2021 10:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New Indy - Revised draft CD and Appendix A/term sheet

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 8, 2021 2:48 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Revised draft CD and Appendix A/term sheet

Hi All,

Ex. 5 AC / Ex. 7(A)

Please let me know if you see anything I missed or have any trouble accessing the documents.

Thank you!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/10/2021 11:39:39 AM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy - Draft CD for informal, pre-routing review
Attachments: 11-9-2021_EPA 2d draft CD_Clean.docx; 11-9-21 Draft Appendix A - Work to be Performed.docx; 7-22-c-oeca-0221.pdf; NICB Front office data sheet for draft CD 11-10-21.docx

Good morning Leif and Suzanne,

Ex. 5 AWP / Ex. 7(A)

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:20:50 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

Ex. 5 AC / Ex. 7(A)

Valerie, I know this is the same time as our branch meeting but it looks to be the only time both Todd and Tim are available tomorrow or Thursday.

Microsoft Teams meeting

[1] The 70 ppb standard is supposed to measure "chronic" exposure. The average is unduly influenced by high readings and thus does not address chronic. By requiring 5 days in a 7 day period, this is more likely to reflect a chronic issue.

Join on your computer or mobile app
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Learn More | Meeting options

Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 12/2/2021 7:26:03 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AWP / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 2:05 PM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Draft CD

Good catch! Thanks, Johanna,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Thursday, December 2, 2021 12:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 12:50 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Hang on. I attached the wrong document for the comments on the redline. Please review this one instead.

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 12/2/2021 7:42:22 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy - Draft CD

All good news Marirose. Thank you for pushing this forward!

I'm out on Dec. 17, Dec. 22-24, and Dec. 29-31. With that said, we are short-staffed in our front office and, for good or bad, I will be at the computer every day (except Dec. 17) and available as needed.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 2:38 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AWP / Ex. 7(A)

I know Steve and Johanna will be on leave Dec. 20-24. Will you be back that last week of December?

Cathryn, what is your schedule?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, December 2, 2021 2:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AWP / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 2:05 PM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Draft CD

Good catch! Thanks, Johanna,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Thursday, December 2, 2021 12:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 12:50 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Hang on. I attached the wrong document for the comments on the redline. Please review this one instead.

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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pratt.marirose@epa.gov

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Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 12/10/2021 2:50:53 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: New Indy - Matter Potentially requiring RA Concurrence
Attachments: 12-1-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

---

From: Kemker, Carol
Sent: Thursday, December 9, 2021 6:17 PM
To: Blackman, Daniel <Blackman.Daniel@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: New Indy - Matter Potentially requiring RA Concurrence

Daniel,

Thanks for the quick conversation this evening about New Indy and the upcoming schedule.

Ex. 5 AC / Ex. 7(A)

Carol L. Kemker
Director
Enforcement and Compliance Assurance Division
EPA Region 4
404-562-8975

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 11:23:52 AM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: RE: New Indy - Final CD draft

Good point! I will put Mary and Leif on separate pages (just to be safe) and change IV to 4. Kathryn has not confirmed Mary's signature; that's why I asked her to look at it again.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Tuesday, December 14, 2021 6:20 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Final CD draft

Hi Marirose - Please change Region IV to Region 4 on Leif's signature block. Also, has Kathryn C. confirmed Mary Greene's signature block is correct?

Since we just did this with LG&E, do you know how everyone will be signing (wet or adobe?). I'm asking because I don't know whether it will be possible for Leif and Mary Greene to sign on the same page.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 12/16/2021 9:41:04 PM
To: Palmer, Leif [Palmer.Leif@epa.gov]
CC: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: FW: Advanced Reading (Do Not Sign) - New Indy CD
Attachments: ENV_ENFORCEMENT-#3021068-v1-nic_settle_final_CD_signed_by_NIC_wtih_all_attachmetns_one_pdf.PDF

FYI – Felicia and Aaryn suggested I send materials to help Daniel be prepared. They are printing for Daniel to have tomorrow.

Thanks to Valerie for putting the documents all in one file!

From: Kemker, Carol
Sent: Thursday, December 16, 2021 4:35 PM
To: Williams, Felicia <Williams.Felicia@epa.gov>; Jones, Aaryn (Jones.Aaryn@epa.gov) <Jones.Aaryn@epa.gov>
Subject: Advanced Reading (Do Not Sign) - New Indy CD

Aaryn and Felica,

Ex. 5 DP / Ex. 7(A)

- We are on the WA's calendar to brief on December 21.

Thanks for your support on this critical action! Please let me know if additional information or action is needed.

Carol

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/9/2021 1:43:22 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: New Indy meeting tomorrow

Ex. 5 AC / Ex. 7(A)

Hopefully, I will receive information from Jim Cobery about what the meeting is about before tomorrow but if not, here are some potential agenda topics:

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/17/2021 7:47:40 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: New Indy news
Attachments: 2021-09-17 New-Indy Commitment on Production Levels (FINAL).pdf

Hi Suzanne,

Ex. 5 AC / Ex. 7(A)

Please let us know if you have any other questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Friday, September 17, 2021 3:36 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: New Indy news

Ex. 5 AC / Ex. 7(A)

Message

From: Rubini, Suzanne [Rubini.Suzanne@epa.gov]
Sent: 9/17/2021 7:49:13 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, September 17, 2021 3:48 PM
To: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Hi Suzanne,

Ex. 5 AC / Ex. 7(A)

Please let us know if you have any other questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Sent: Friday, September 17, 2021 3:36 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: New Indy news

Ex. 5 AC / Ex. 7(A)

Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 9/17/2021 7:51:19 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Sent: Friday, September 17, 2021 3:49 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
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To: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Hi Suzanne,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let us know if you have any other questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: New Indy news

Ex. 5 AC / Ex. 7(A)

Message

From: Rubini, Suzanne [Rubini.Suzanne@epa.gov]
Sent: 9/17/2021 7:53:08 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, September 17, 2021 3:51 PM
To: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Friday, September 17, 2021 3:49 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, September 17, 2021 3:48 PM
To: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy news

Hi Suzanne,

Ex. 5 AC / Ex. 7(A)

Please let us know if you have any other questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Friday, September 17, 2021 3:36 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: New Indy news

Ex. 5 AC / Ex. 7(A)

Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/1/2021 12:03:05 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/4/2021 3:06:30 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 10:44 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; England, JJ <England.Jj@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: New Indy - Term Sheet Working Session

10-4-21_ EPA Response to NI's 1st Redline.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/4/2021 12:20:13 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf

Ex. 5 AWP / Ex. 7(A)

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/1/2021 3:58:24 PM
To: England, JJ [England.Jj@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf; Motion to Intervene and Lift Stay 9 29 2021 filed.pdf; Complaint in Intervention 9 29 2021 filed.pdf

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Nowell, Valerie
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM

To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 9/7/2021 5:12:47 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy Meeting

Hi Todd – My morning is pretty packed and we already have an 11am about New Indy, just fyi. I can make myself available after the 11am with New Indy – can miss/reschedule stuff

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, September 7, 2021 1:04 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>
Subject: New Indy Meeting

Hi All,

There maybe a call with New Indy tomorrow to hear their plan about minimizing H2S emissions and

Ex. 5 DP/ AC / Ex. 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/6/2021 12:20:36 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, October 5, 2021 6:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

My comments of substance:

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/6/2021 12:28:30 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy 1st draft CD.
Attachments: 10-5-21_comparison of DOJ draft to EPA R4 revisions.docx; ENV_ENFORCEMENT-#3005505-vn+mjp comments.DOCX

Is this the most current version?

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Phone: 404-562-9023
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Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 9/8/2021 11:33:55 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Term Sheet

Looks good; I have one comment on the penalty

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/7/2021 1:01:01 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 7, 2021 8:42 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

---

[1] Parameters to be established.

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.

(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Tuesday, October 5, 2021 10:09 AM

To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Pat

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 11:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Monday, October 4, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

63.446(g) For each control device (e.g., steam stripper system or other equipment serving the same function) used to treat pulping process condensates to comply with the requirements specified in paragraphs (e)(3) through (5) of this section, periods of excess emissions reported under § 63.455 shall not be a violation of paragraphs (d), (e)(3) through (5), and (f) of this section provided that the time of excess emissions divided by the total process operating time in a semi-annual reporting period does not exceed 10 percent. The 10 percent excess emissions allowance does not apply to treatment of pulping process condensates according to paragraph (e)(2) of this section (e.g., the biological wastewater treatment system used to treat multiple (primarily non-condensate) wastewater streams to comply with the Clean Water Act).

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 6:39 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session

When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/15/2021 6:01:31 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/15/2021 7:27:25 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 2:09 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 2:02 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/18/2021 12:22:42 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Will do, feel free to buzz me when you're back on the clock

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 6:55 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: Re: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A) ed. Can you give me a call Monday when you get

Sent from my iPhone

On Oct 15, 2021, at 5:23 PM, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov> wrote:

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 3:27 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 2:09 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 15, 2021 2:02 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: [EXTERNAL] RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, October 15, 2021 1:58 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy Attorney Bi-Weekly Check-in

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [EXTERNAL] New Indy Attorney Bi-Weekly Check-in

Good afternoon All,

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 11/1/2021 1:24:50 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: New Indy draft CD
Attachments: New Indy CD - stipulated penalties discussion

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 11/1/2021 1:46:07 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy draft CD

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 1, 2021 9:30 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy draft CD

Hi Valerie,

Here is New Indy's redline with Steve's comments. The version I shared with the program this morning is my working draft on our next version. So, it has accepted some of New Indy's proposed changes already.

Let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, November 1, 2021 9:25 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy draft CD

Hi all – I'm not exactly sure where the draft CD containing NI's proposed edits is – but what I could locate is attached and it doesn't seem like it contains NI's actual proposed changes.

Ex. 5 AC/AWP/7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 11/9/2021 5:08:32 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy - Revised draft CD and Appendix A/term sheet
Attachments: ENV_ENFORCEMENT-#3016277-v1-nic_-_SO_comments_on_APp_A1.DOCX

Hi Marirose – I think we should send the draft CD to Suzanne and Leif now for informal, pre-routing front office review. What do you think? Also, we need a front office data sheet – DOJ is the lead here not ORC (for the front office data sheet) and we need to spell out the delegations for Leif and Suzanne.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, November 9, 2021 10:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New Indy - Revised draft CD and Appendix A/term sheet

Ex. 5 Attorney Client (AC)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 8, 2021 2:48 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] New Indy - Revised draft CD and Appendix A/term sheet

Hi All,

Ex. 5 Attorney Client (AC)

Please let me know if you see anything I missed or have any trouble accessing the documents.

Thank you!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 11/30/2021 8:57:32 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy SJM and email to opposing counsel
Attachments: RE: Proposed EPA reply to New Indy's response to the NOPVOC and request for ETA on CD comments

Hi Marirose –

Ex. 5 AWP / Ex. 7(A)

Thank you so much for this excellent work product.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 22, 2021 6:04 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy SJM and email to opposing counsel

11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

Good morning Valerie and Kathryn,

Ex. 5 AWP / Ex. 7(A)

I have scheduled to take this whole week off but I am available if needed to keep this case moving, and I will be checking email periodically.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 10/21/2021 12:06:36 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Jason Dressler (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy
Attachments: New Indy Catawba LLC - ORP Control Strategy for Foul Condensate to ASB.pdf

Hi all – I believe you were expecting this information from New Indy. Marirose is out today and tomorrow so I am forwarding this to you.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

Parker Poe

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

*****Caution: External email*****

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/7/2021 11:45:34 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: NIC - Sunday night musings.

Well done, thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 6, 2021 8:49 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: NIC - Sunday night musings.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel

U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Sunday, December 5, 2021 8:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

Plan?

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/10/2021 1:30:45 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy draft RA briefing
Attachments: New Indy draft briefing sheet 2021 Dec 8 vn + mjp edits.docx

Hi Leif and Suzanne – Here's the draft RA briefing sheet for New Indy, fyi.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 7:24 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Good morning everyone,

Ex. 5 AC / Ex. 7(A)

Please feel free to further edit/revise.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, December 9, 2021 4:05 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Hi Team – I'm sending my suggested revisions to the RA Briefing sheet to Marirose now. So, in the interest of version control, if you don't mind, please continue to hold off on making edits until Marirose is finished.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, December 9, 2021 3:06 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Sorry Valerie. I should have sent it as a shared file.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, December 9, 2021 3:05 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy draft RA briefing

Hi Team - I am making revisions to the briefing paper now so please hold off on any changes you may have – to minimize version confusion.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, December 9, 2021 2:36 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy draft RA briefing

Team,
Attached is a revised version of the draft RA briefing sheet as of 2:36 pm on 12/9/2021.
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Kler, Denis
Sent: Thursday, December 9, 2021 12:28 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy draft RA briefing sheet

Team,

Ex. 5 AC / Ex. 7(A)

Best,
Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/13/2021 7:26:51 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
Subject: FW: Amounts Spent and Civil Penalty
Attachments: 12-13-21_EPA 's 5th draft New Indy CD_CLEAN.docx; Comparison of EPA's Dec 9 draft to Dec 13 draft CD.docx

Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 1:12 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: Amounts Spent and Civil Penalty

FYI… here is the email I sent after I spoke to Jim this morning.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Monday, December 13, 2021 11:46 AM

To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: RE: Amounts Spent and Civil Penalty

Hi Jim and Stephanie,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Monday, December 13, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: Amounts Spent and Civil Penalty

Marirose,

Stephanie and I have obtained from our finance department information about how much we have spent and expect to spend to address the odor issue and its underlying causes, and to comply with the requirements of the Consent Decree and the likely enforcement order from South Carolina DHEC. Set forth below is a brief summary of what we have learned.

- Net additional 2021 spend related to odor was $8.4MM. This is for dredging, oxygen, peroxide, aerator maintenance, and 13 other capex projects and represents an amount beyond which we would have otherwise spent for expected maintenance and operations.
- 2022 spend is estimated at $19.5MM. This is for chemicals and the remaining spend on the 2021 capex projects that are underway, along with 10 additional capex projects.
- 2023 spend is estimated at $22.5MM. This is for chemicals and the remaining spend on the 2022 capex projects, along with 2 additional capex projects.
- 3-year estimated combined spend (2021 – 2023) is over $50MM.
- Ongoing spend is estimated at $6MM per year from 2024 forward. That would be chemicals and operating costs related to the 25 capex type projects completed between 2021 and 2023.

This does not include any state or federal penalties or any legal costs related to the odor issue or the class action lawsuits.

Stephanie and I have also discussed the proposed civil penalty with our business team. We appreciate the efforts that you and the other lawyers have made to reduce the civil penalty from the maximum amount that could have been asserted. Thank you. Notwithstanding that, we still find the proposed amount significantly higher than we expected. To get some context, we applied the stipulated penalties in the draft Consent Decree (without taking into effect any of the reductions that we requested) and we calculate the penalty to be no more than $783,500. Using our proposed stipulated penalties, the result would be even lower.

Also, we discussed the likely approach that South Carolina DHEC will take to its enforcement orders. We expect that they will seek a penalty at least equal to whatever is ultimately included in the Consent Decree.

Finally, we think it fair to consider the approach that New-Indy Catawba has consistently taken to this issue since the enforcement orders were first issued – we have endeavored to do what is right to address for the long term the underlying causes of the odor issue. We plan to continue to take that approach.

Given that we have already spent $8.4MM, that we expect to spend an additional $42MM to address the odor issue and its underlying causes, and to comply with the terms of the Consent Decree, that South Carolina DHEC also plans to penalize New-Indy Catawba, and that we have cooperated at every stage of this process, Stephanie and I suggest that the most appropriate civil penalty should be $783,500.

Please advise how you would like to proceed. We remain eager to finalize the Consent Decree at the earliest possible time.

Stephanie and Jim

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contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/14/2021 11:20:18 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Final CD draft

Hi Marirose - Please change Region IV to Region 4 on Leif's signature block. Also, has Kathryn C. confirmed Mary Greene's signature block is correct?

Since we just did this with LG&E, do you know how everyone will be signing (wet or adobe?). I'm asking because I don't know whether it will be possible for Leif and Mary Greene to sign on the same page.

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Please review the new language carefully and let me know if you have any concerns. If not, I will send this proposed final draft to New Indy this morning and let them know that if they have no other changes, we will send a pdf for signature.

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/14/2021 4:02:08 PM
To: Rubini, Suzanne [Rubini.Suzanne@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]
Subject: RE: New Indy is offering $783,500: Amounts Spent and Civil Penalty
Attachments: RE: New-Indy - Consent Decree

Please see attached; I let Leif know at MTM

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Sent: Tuesday, December 14, 2021 11:00 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: New Indy is offering $783,500: Amounts Spent and Civil Penalty

Ex. 7(A)

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, December 13, 2021 10:06 AM
To: Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: New Indy is offering $783,500: Amounts Spent and Civil Penalty

Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 10:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: Amounts Spent and Civil Penalty

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Monday, December 13, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: Amounts Spent and Civil Penalty

Marirose,

Stephanie and I have obtained from our finance department information about how much we have spent and expect to spend to address the odor issue and its underlying causes, and to comply with the requirements of the Consent Decree and the likely enforcement order from South Carolina DHEC. Set forth below is a brief summary of what we have learned.

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Please advise how you would like to proceed. We remain eager to finalize the Consent Decree at the earliest possible time.

Stephanie and Jim

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/14/2021 6:42:05 PM
To: Palmer, Leif [Palmer.Leif@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]
Subject: Breaking new - New-Indy accepted final changes and is ready to execute

See below

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

We accept these changes. Please generate the execution version and we will arrange to have executed.

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

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Message

From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 12/17/2021 11:24:31 AM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
CC: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: RE: Advanced Reading (Do Not Sign) - New Indy CD

Thank you Carol for sending this up to the RA!

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, December 16, 2021 4:41 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>
Cc: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: FW: Advanced Reading (Do Not Sign) - New Indy CD

FYI – Felicia and Aaryn suggested I send materials to help Daniel be prepared. They are printing for Daniel to have tomorrow.

Thanks to Valerie for putting the documents all in one file!

From: Kemker, Carol
Sent: Thursday, December 16, 2021 4:35 PM
To: Williams, Felicia <Williams.Felicia@epa.gov>; Jones, Aaryn (Jones.Aaryn@epa.gov) <Jones.Aaryn@epa.gov>
Subject: Advanced Reading (Do Not Sign) - New Indy CD

Aaryn and Felica,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Thanks for your support on this critical action! Please let me know if additional information or action is needed.

Carol

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From: Nowell, Valerie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=70ACC3335FF44CF7AFCAAF77C16C67C7-NOWELL, VALERIE]
Sent: 9/9/2021 2:19:59 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy meeting tomorrow

Perfect, thank you!

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 9, 2021 9:43 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy meeting tomorrow

Ex. 5 AWP / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:21:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

Ex. 5 AC / Ex. 7(A)

Valerie, I know this is the same time as our branch meeting but it looks to be the only time both Todd and Tim are available tomorrow or Thursday.

Microsoft Teams meeting

[1] The 70 ppb standard is supposed to measure "chronic" exposure. The average is unduly influenced by high readings and thus does not address chronic. By requiring 5 days in a 7 day period, this is more likely to reflect a chronic issue.

Join on your computer or mobile app
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Appointment

From: Pratt, Marirose [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b223918595ad4fe0985d3b46da1803d5-Pratt, Marirose]
Sent: 9/9/2021 2:32:01 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]

Subject: New Indy - Pre-meeting
Location: Microsoft Teams Meeting

Start: 9/10/2021 5:00:00 PM
End: 9/10/2021 5:30:00 PM
Show Time As: Busy

Required Attendees: Nowell, Valerie; Caballero, Kathryn; Russo, Todd; Dressler, Jason; Kler, Denis; Lamberth, Larry; Fried, Gregory; Kemker, Carol; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Secrest, Cary; Foley, Patrick; Taylor, Kevin; Mills, Andrew

Hi All,

This is an invitation for a pre-meeting before the meeting that was scheduled for tomorrow at 1:30 with New Indy. If you have not received the 1:30 meeting invitation, please let me know an I will forward you the call-in information.

I hope to receive information from New Indy's counsel about what they will be prepared to discuss before tomorrow but if not, here are some potential agenda topics:

Ex. 5 AC / Ex. 7(A)

Marirose

Microsoft Teams meeting

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Appointment

From: Pratt, Marirose [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b223918595ad4fe0985d3b46da1803d5-Pratt, Marirose]
Sent: 11/30/2021 4:20:48 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

Ex. 5 AC / Ex. 7(A)

Valerie, I know this is the same time as our branch meeting but it looks to be the only time both Todd and Tim are available tomorrow or Thursday.

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Microsoft Teams meeting

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Learn More | Meeting options

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 9/24/2021 10:25:30 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: FW: Comments to Proposed Settlement Term Sheet
Attachments: 9-23 EPA Settlement Term Sheet Redline.docx; 9-23 Settlement Term Sheet New-Indy Comments REDLINE.docx; Steam Stripper Trials Description.docx; New-Indy Catawba Liquor Containment Drawings.jpg; Pre-Clarifier SOlids Removal Project.docx

Hi All,

FYI ...This came in from New Indy last night.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, September 23, 2021 8:03 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Steven D. Weber <steveweber@parkerpoe.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Randy Lowell <rlowell@willoughbyhoefer.com>
Subject: Comments to Proposed Settlement Term Sheet

Ex. 7(A)

Thanks,

Jim

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 9/30/2021 4:55:35 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 12:49 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 12:36 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Thanks, Steve,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, September 30, 2021 12:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 12:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

That's it, I think.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 11:32 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Super helpful. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 11:01 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 10:37 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] Citizen intervention and term sheet negotiations

Hi Steve,

Ex. 5 AC / Ex. 7(A)

I hope my questions make sense.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

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Sent: 9/30/2021 5:08:37 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: Citizen intervention and term sheet negotiations

Gotcha. Yes, it's on my list. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 1:07 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 12:56 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney

Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Thanks, Steve.

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
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Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Valerie Nowell
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Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Super helpful. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Subject: [EXTERNAL] Citizen intervention and term sheet negotiations

Hi Steve,

Ex. 5 AC / Ex. 7(A)

I hope my questions make sense.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/4/2021 2:44:11 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; England, JJ [England.Jj@epa.gov]
CC: Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: New Indy - Term Sheet Working Session

10-4-21 EPA Response to NI's 1st Redline.docx

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review and let me know if you have any questions, concerns, or suggested edits. If you do not have time to review before 2pm today and do not feel comfortable with the attorneys sharing this with New Indy today at 3pm, please let me know.

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/6/2021 9:07:03 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
CC: England, JJ [England.Jj@epa.gov]
Subject: RE: New Indy 1st draft CD.
Attachments: ENV_ENFORCEMENT-#3005505-vn+mjp comments__10-6-21.docx; Comparison of DOJ draft to 10-6-21 EPA R4 revisions.docx

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Tuesday, October 5, 2021 8:58 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Sent: Tuesday, October 5, 2021 6:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/6/2021 4:44:38 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: New Indy CD - draft stipulated penalties for quick review
Attachments: ENV_ENFORCEMENT-#3005505-vn+mjp comments__10-6-21.docx

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Let me know if you have any concerns with the stipulated penalty provisions as soon as you get a chance. We'd like to send this to New Indy later today or early tomorrow.

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/6/2021 6:46:41 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy 1st draft CD.

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 2:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy 1st draft CD.

John Moore at ENRD will proof our CD with the new name set out below. I've asked him to cc you on his findings.

From: O'Rourke, Steve (ENRD)
Sent: Wednesday, October 6, 2021 1:37 PM
To: 'Pratt, Marirose' <Pratt.Marirose@epa.gov>
Subject: RE: New Indy 1st draft CD.

I will do that. I will take this version and re-name it as "CD, after EPA, ready to go NI after proofing." I will cc you once a paralegal is assigned.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:49 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Thanks, Steve,

I've made all the changes. I am waiting from my program to confirm that they are ok with all of the stipulated penalty provisions. In the meantime, if you have a paralegal that has time to proof-read the attached for typos, cross-references, and any weird formating issues, that would be awesome!

Marirose

Marirose J. Pratt
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Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 12:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

In response to "vn+mjp" version:

Ex. 5 AC/AWP/7(A)

All other redlines/strikeouts are acceptable to me.

Process:
After MP finalizes what appears ready to go to Def, we can arrange a ENRD paralegal to proof read, confirm cross refs, etc.

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 5:11 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

A slightly revised version of what I meant to send yesterday afternoon. The vn+mjp comments_10-6-21 document should be clean, except for comment bubbles and highlighting that is intentional at this stage in the draft.

Please let me know what you think when you get a chance. If this version looks good, I plan to remove all comment bubbles before sending to New Indy.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
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Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Yikes. Even though I saved a clean draft, my email attached an older version. I'm not sure how it did this because I still have the clean version open on my computer with the same file name. Maybe I'm going crazy. In any event, apologies for wasting your time! Most of your comments have already been addressed by the true "clean version," but I want to make a few more tweaks to address your comments on the stips. I will re-save and send a revised clean version after I have a chance to make those tweaks in the morning.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC/AWP/7(A)

Ex. 5 AC/AWP/7(A)

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Sent: Tuesday, October 5, 2021 4:30 PM
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Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Please find attached a revise clean draft CD that (after removing the comment bubbles), I think is ready to transmit to New Indy. I've also included a redline comparison of this revised draft to the original draft you sent us.

Note – I do not totally trust that the redline captures everything (but I wanted to get something to you) because it looks like some of the changes I made in the clean version are not showing up in the redline version. I think something is wrong with my compare file function. I'm not sure what is going on and will try to send a revised redline if I can figure it out.

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Subject: RE: New Indy 1st draft CD.

Hi all.

Here is a replacement version of the draft CD. I eliminated a provision that I'd had questions about (regarding taxes), and made a few other improvements.

I propose that we review this and finalize it for distribution to NI, ideally before our next bi-weekly. We can negotiate the CD body in tandem with negotiating the term sheet. We should at least pretend that we are aiming for the Halloween deadline from the consent injunction. But I'm open to other ideas of course.

Thanks.

From: O'Rourke, Steve (ENRD)
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Subject: New Indy 1st draft CD.

Hope I'm not jinxing anything, but here's the 1st cut CD. Lots of items in yellow for us to decide. I think we wait for NI to red-line the term sheet. And later give them the CD.

Thanks.

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/7/2021 10:29:18 AM
To: Foley, Patrick [Foley.Patrick@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Parrish, Robert [Parrish.Robert@epa.gov]
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

[1] Parameters to be established.

pratt.marirose@epa.gov

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Sent: Tuesday, October 5, 2021 10:33 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 DP / Ex. 7(A)

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Denis

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.

(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Parrish, Robert <Parrish.Robert@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt

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Office of Regional Counsel
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Subject: RE: New Indy - Term Sheet Working Session

Denis,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Pat

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Sent: Monday, October 4, 2021 11:43 AM
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Subject: RE: New Indy - Term Sheet Working Session

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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Subject: RE: New Indy - Term Sheet Working Session

Marirose

Ex. 5 AC / Ex. 7(A)

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Subject: RE: New Indy - Term Sheet Working Session

Hi All,

Ex. 5 AC / Ex. 7(A)

Please review if you have time this morning.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Thursday, September 30, 2021 4:35 PM
To: Pratt, Marirose; Caballero, Kathryn; Russo, Todd; Nowell, Valerie; Taylor, Kevin; Mills, Andrew; Kler, Denis; Foley, Patrick
Cc: Dressler, Jason (Dressler.Jason@epa.gov); Secrest, Cary; Fried, Gregory; Kemker, Carol; Parrish, Robert; Lamberth, Larry; Newman, Keriema
Subject: New Indy - Term Sheet Working Session
When: Monday, October 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi All,

I will work on the term sheet tomorrow so that I can send something out in advance of this Monday meeting.

Thanks!
Marirose

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/7/2021 12:27:35 PM
To: Kler, Denis [Kler.Denis@epa.gov]
CC: Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy - Term Sheet Working Session

Hi Denis,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Fax: 404-562- 9486
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Sent: Thursday, October 7, 2021 8:12 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Marirose,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Patrick

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 6:29 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Pat,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
Fax: 404-562- 9486
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Ex. 5 AC / Ex. 7(A)

does is what I just described in regard to alternate operating scenarios. It is not an outright exemption during ed maintenance. Another limit applies during the planned maintenance. See paragraph (h)(2). The specific y is not applicable, but the concept is applicable.

long term solution is building another stripper and building foul condensate storage. We won't get that in of the 303 order, but we could in resolution of an NSR action. For now, we need a specific alternate limit to emissions during any stripper downtime and we need to limit the downtime to absolute minimum they can

---

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Tuesday, October 5, 2021 10:25 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
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Subject: RE: New Indy - Term Sheet Working Session

Team,

Ex. 5 AC / Ex. 7(A)

Subpart GGG - National Emission Standards for Pharmaceuticals Production
§ 63.1252 Standards: General.
(h) Planned routine maintenance for centralized combustion control devices. The owner or operator may operate non-dedicated PMPU's during periods of planned routine maintenance for CCCD in accordance with the provisions specified in paragraphs (h)(1) through (6) of this section.
(1) For equipment leaks and wastewater emissions that normally are controlled by the CCCD, if any, the owner or operator must continue to comply with the requirements in §§ 63.1255(b)(4)(ii) and 63.1256(h), respectively, using other control devices during the planned routine maintenance period for the CCCD.
(2) During the planned routine maintenance period, the owner or operator must route emissions from process vents with organic HAP emissions greater than 15 pounds per day (lb/day) through a closed-vent system to a condenser that meets the conditions specified in paragraphs (h)(2)(i) through (iii) of this section.
(i) The outlet gas temperature must be less than −50 °C (−58 °F) when the emission stream contains organic HAP with a partial pressure greater than 20 kPa (2.9 psia).
(ii) The outlet gas temperature must be less than −5 °C (23 °F) when the emission stream contains organic HAP with a partial pressure less than or equal to 20 kPa (2.9 psia).
(iii) The HAP partial pressures in paragraphs (h)(2)(i) and (ii) of this section must be determined at 25 °C.
(3) The owner or operator must route HCl emissions from process vents with HCl emissions greater than 15 lb/day through a closed-vent system to a caustic scrubber, and the pH of the scrubber effluent must be maintained at or above 9.
(4) For the purposes of the emission calculations required in paragraphs (h)(2) and (3) of this section, the term "process vent" shall mean each vent from a unit operation. The emission calculation shall not be performed on the aggregated emission stream from multiple unit operations that are manifolded together into a common header. Once an affected process vent has been controlled in accordance with this section, it is no longer subject to the requirements of this section or § 63.1254 during the routine maintenance period.
(5) The total period of planned routine maintenance, during which non-dedicated PMPU's that are normally controlled by the CCCD continue to operate, and process vent emissions are controlled as specified in paragraphs (h)(2) and (3) of this section, must not exceed 240 hours in any 365-day period.
(6) While being controlled as specified in paragraphs (h)(2) and (3) of this section, the process vents may not be used in emissions averaging.

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
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Subject: RE: New Indy - Term Sheet Working Session

Thanks, Patrick,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

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Denis,

You will not find limits on control device downtime for maintenance in our regulations because our regulations require compliance at all times. It has been a longstanding disagreement between EPA and industry regarding downtime for planned maintenance not being allowed in our various regulations. There historically was an allowance for Startup, Shutdown and Malfunction in all of our NSPS, NESHAP and MACT regulations. However, Startup and Shutdown only covered the period starting up and shutting down not the time when a control device was actually shutoff. Then there is also the issue of the vacatur of the SSM exemption in our MACT and NESHAP rules. It was found illegal by the Supreme Court. So there is a lot of history around this concept of allowing exceptions from regulatory standards and the direction EPA has headed (with the Trump Administration being a historical departure) is towards fewer exceptions. We never excepted planned maintenance in any NSPS, NESHAP, or MACT standard.

All that being said, it is a real problem. You will find recognition of it in how some states have written exemptions in their SIPs with Texas' MSS (Maintenance, Startup and Shutdown) exemption being a notable example. These exemptions have been a point of contention in SIP approvals. Now, when you are doing a site specific limit like in a BACT determination, and you are addressing application of a specific technology to specific source, the permitter has bit more latitude in assessing how a limit would apply and can come up with alternative scenarios, as long as there is BACT limit that applies at all times. The limit can be different for different operating scenarios. So as we have here, it may not be reasonable to require 100 percent redundancy for control device that may only need that redundancy for 3 days once every 5 years. A cost effectiveness analysis would conclude that does not make sense.

I know we are not yet doing an NSR case, but what we do here in resolving the 303 Order will impact what we can get later in the NSR case. What you are proposing is OK in concept, and I have done something like it in regard to FGRS on flares, but I think the amount of time you are proposing to give them each year may be unnecessarily generous. I think we need to talk about this some more. They just did what is effectively a turnaround on the stripper in about 80 hours. They said they had done that in years. So my proposal is to maybe start with something like 72 hours allowed once every 5 years. Then we may need to ask for some sort of limit that applies during this event. I still wonder if we can get them to agree to install foul condensate storage as a long term solution so that during TAs they can store then work down the volume over time. I am also not clear about the need for maintenance between TAs. Have they made a showing that is absolutely necessary? I would not give on that until we know more about that.

Pat

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Ex. 5 AC / Ex. 7(A)

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Thanks!
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Office of Regional Counsel
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Sam Nunn Atlanta Federal Center
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Subject: New Indy - Term Sheet Working Session
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Where: Microsoft Teams Meeting

Hi All,

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Thanks!
Marirose

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/7/2021 4:42:20 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Awesome. Thanks!!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 12:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

FYI – from Carol. She's good with the approach.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 12:37 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: Re: New Indy CD - draft stipulated penalties for quick review

This approach looks good.

Sent from my iPhone

On Oct 7, 2021, at 12:05 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Thanks, Todd,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/12/2021 10:04:49 AM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Gillam, Rick <Gillam.Rick@epa.gov>
Sent: Thursday, October 7, 2021 5:29 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Wang, Corinna <Wang.Corinna@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Todd and All,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Regards,

-Rick

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 4:56 PM
To: Gillam, Rick <Gillam.Rick@epa.gov>
Cc: Rinck, Todd <Rinck.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>

Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/13/2021 3:16:22 PM
To: Mitchell, Ken [Mitchell.Ken@epa.gov]
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/15/2021 2:53:10 PM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; England, JJ [England.Jj@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]; Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: New Indy - Term sheet follow up

Good morning all!

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/21/2021 10:40:02 AM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy
Attachments: New Indy Catawba LLC - ORP Control Strategy for Foul Condensate to ASB.pdf

Good morning,

Please see the attached information about the ORP monitoring program that we received from New Indy yesterday afternoon. I am taking today and tomorrow off but I will look at this first thing on Monday morning.

Have a nice weekend,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/25/2021 10:00:12 AM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: NIC - brief due WED.
Attachments: 2021-10-20_New Indy Brief in opposition to intervention.pdf; 2021-10-20_US brief in opposition to intervention.pdf

Good morning!

Here are the briefs in case Valerie or someone else didn't already send them along.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 21, 2021 6:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: NIC - brief due WED.

Good morning Marirose,

Just checking to see if the brief was filed yesterday?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 19, 2021 7:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: NIC - brief due WED.

Hi Todd,

Here is a copy of the brief as of yesterday afternoon. Yes, we are still planning to file tomorrow. DOJ is working on proofreading and cite checking today so there shouldn't be any more substantive changes.

Also, we met with New Indy's counsel yesterday afternoon. They plan to send us the information on the ORP monitoring program today. I will forward it along to the team as soon as I receive it.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 3:23 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Hi Steve,

I have a couple comments and edits, not much though.

Thank you again, it looks good.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Monday, October 18, 2021 9:01 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Valerie – you should review the attached version, removed from sharepoint, reviewed by Lori's boss Karen.

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 8:16 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Hi all – I plan on reviewing the brief today. I wrote my answers in red/bold below. Of course, I don't have authority to

Ex. 5 AC/AWP/7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Saturday, October 16, 2021 6:12 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Well. I've been asked a very difficult question by my boss. I think this Q likely goes to K. Caballero ... sorry.

Ex. 5 AC/AWP/7(A)

Ex. 5 AC/AWP/7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Friday, October 15, 2021 3:41 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency

Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 6:40 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: NIC - brief due WED.

Thanks, Steve! I think it is looking good. :)

I've made revisions to address the comments you had left in some of the sections I had edited, hopefully addressing them.

I'm happy to chat over the phone later today about anything you still have questions about. Let me know how else I can help.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, October 14, 2021 6:35 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - brief due WED.

I'd say it looks like the edit-palooza on the opposition brief is winding down. It's down to just a few major comments left.

I'd like to "finish" it tomorrow, so we can send the "near final" for management approvals. If we are looking at any major changes from management, I'd rather not find out next Monday.

Of course next week will be minor edits, cite checks, proof reads, exhibit assembly, and e-filing.

So – I intend to spend a few hours tomorrow making it "final" enough to send upstairs.

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 10/26/2021 1:54:43 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Great. I'll see if I can set something up this week.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, October 26, 2021 9:52 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Good morning Marirose,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 26, 2021 9:47 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Hi Todd,

I haven't heard back from the team on my question below. Should I reach out to New Indy's attorney to see if we can set up a technical call? Let me know when you get a chance.

Thanks!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Monday, October 25, 2021 9:02 AM
To: Foley, Patrick <Foley.Patrick@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Thanks, Denis and Pat,

What if we set up a call with New Indy's technical staff, to give you the opportunity to ask questions and to ask for any additional information you might need to better understand how the ORP monitoring works? Would that be helpful?

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Thursday, October 21, 2021 9:22 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Agreed.

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, October 21, 2021 8:54 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 21, 2021 6:40 AM
To: Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>;

Foley, Patrick <Foley.Patrick@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Good morning,

Please see the attached information about the ORP monitoring program that we received from New Indy yesterday afternoon. I am taking today and tomorrow off but I will look at this first thing on Monday morning.

Have a nice weekend,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Wednesday, October 20, 2021 3:43 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>
Subject: New-Indy Catawba, LLC Attorney Bi-Weekly Check-in - ORP Control Strategy

Marirose:

Please find attached New-Indy Catawba LLC's assessment of the use and effectiveness of Oxidation Reduction Potential (ORP) as a means of treating the unstripped foul condensate during a recent stripper outage event. Please let us know if you have questions.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 1:49 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Golden, Rebecca (RebeccaG@thekraftgroup.com) <RebeccaG@thekraftgroup.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: New Indy Attorney Bi-Weekly Check-in

Caution: External email

Good afternoon All,

To follow up on our conversation from last Friday, EPA would like to provide the following updates on where we stand on the term sheet. After further investigation and internal discussions:

Ex. 7(A)

We look forward to hearing from you on Monday when we have our regular bi-weekly call.

Have a great weekend.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Sent: 10/18/2021 10:15:46 AM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]
Subject: New Indy - question about H2S
Attachments: New-IndyDHEC-CAP-report-Rev-2.pdf; Weston Solutions Inc. - New-Indy Catawba LLC - Odor Testing Report - 4-16-21.pdf

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Sent: 11/3/2021 1:15:34 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/18/2021 11:31:21 AM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Also, as the Holidays approach and we move into next week, EPA is very sensitive to the limited amount of time we have between now and December 30, 2021. Please let me know when we can expect New Indy's comments on the draft Consent Decree and Appendix A.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/18/2021 5:21:01 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: FW: Monitor Station #3 and Catawba Express

Pete's answer are included below. Please let me know if you all still have any questions/concerns.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 12:17 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Ex. 7(A)

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/18/2021 8:09:04 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Ex. 7(A)

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Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

I spoke at length with Pete Cleveland yesterday about this monitor station. He told me that he shared some information with EPA staff last week about the challenges of locating the monitor at Catawba Express, and that he thought this remained an open item. If you have not seen the most recent information provided by Pete to EPA staff, please let me know and I will provide it.

Anyway, I think Pete has some compelling concerns and suggestions. Can we organize a Teams meeting with us, Pete and someone from EPA technical staff to sort this out?

Thanks,

Jim

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/18/2021 8:10:57 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: Monitor Station #3 and Catawba Express

I know that the program received the information earlier this week and was reviewing it. I've just asked if they have anything to report back yet. I'll let you know.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Ex. 7(A)

Thanks,

Jim

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Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

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Ex. 7(A)

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Good morning Jim and Steve,

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Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/18/2021 9:43:02 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Re: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Marirose

Sent from my iPhone

On Nov 18, 2021, at 3:16 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office

Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Ex. 7(A)

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Jim

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Sent: 11/19/2021 11:13:09 AM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: NALCO fog

Good morning,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 3:11 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Ex. 7(A)

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Senior Air Enforcement Attorney
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U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

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Sent: 11/19/2021 2:11:34 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: NALCO fog

Ex. 7(A)

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Sent: Friday, November 19, 2021 8:40 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: NALCO fog

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Subject: RE: NALCO fog

Good morning,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 3:13 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 3:11 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
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Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

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Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>

Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

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Subject: Monitor Station #3 and Catawba Express

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Jim

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/29/2021 10:58:15 AM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: NALCO fog

Ex. 7(A)

Please let me know when you get a chance.

Regards,
Marirose

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Senior Air Enforcement Attorney
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Sent: Tuesday, November 23, 2021 3:04 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: NALCO fog

Marirose,

Ex. 7(A)

Happy Thanksgiving,

Jim

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Date: Friday, November 19, 2021 at 9:11 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

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Marirose

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Sent: 11/29/2021 5:28:34 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: NALCO fog

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
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Sent: Monday, November 29, 2021 12:06 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: NALCO fog

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Monday, November 29, 2021 at 5:58 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

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Regards,
Marirose

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To: Cobery, Jim <JimC@TheKraftGroup.com>

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Subject: RE: NALCO fog

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Sent: 11/30/2021 11:08:15 AM
To: Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: RE: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.

Awesome. Thank you for your quick review and sharp eye!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Monday, November 29, 2021 2:02 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.

Hey Marirose,
The document is clear and very well written. I had a few very minor edits but nothing significant to add. They are highlighted on the attached document.

Ex. 5 AC / Ex. 7(A)

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 29, 2021 12:01 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.

Pratt, Marirose shared a file with you

Hi All, Here is a link to a draft settlement justification memo for the New Indy matter in the event we settle.

I am expecting to receive New Indy's comments on the CD and Appendix A today. I'll set up a meeting asap if there is anything we need to discuss.

Thanks,
Marirose

11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo

This link only works for the direct recipients of this message.

Open

Microsoft

Privacy Statement

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 11/30/2021 4:07:25 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Fried, Gregory [fried.gregory@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: FW: New-Indy Catawba - Drafts of Appendices A, V and IV
Attachments: Appendix V - Spill Containment 11-29.docx; Appendix IV - Passive Post Aeration Basin Cover System 11-29.docx; Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx

Hi All,

Please find attached New Indy's proposed redline on the draft Appendix A.

The main items to resolve are:

Ex. 5 AC / Ex. 7(A)

I'm hoping we can regroup tomorrow or Thursday.

Please let me know if you have any questions.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

From: Weber, Steven D. <steveweber@parkerpoe.com>
Sent: Monday, November 29, 2021 7:31 PM

To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy Catawba - Drafts of Appendices A, V and IV

Marirose:

Please find attached the following documents:

1. Appendix A – Work to be performed by New-Indy, redlined against the version provided by EPA
2. Appendix IV – Passive Post Aeration Basin Cover System
3. Appendix V – Spill Containment

We were working to provide our comments to all of EPA's drafts by today and are making good progress, but we are putting finishing touches on the remainder. We will provide you with the remainder of our comments by tomorrow. Thanks.

Steve

Steve Weber
Partner

620 South Tryon Street | Suite 800 | Charlotte, NC 28202
Office: 704.335.9065 | Fax: 704.335.9748 | vcard | map

Visit our website at
www.parkerpoe.com

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/2/2021 9:24:53 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Denis Kler [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: FW: New Indy - Draft CD and Appendix A
Attachments: 12-2-21_EPA's comments on New Indy's 11-30-21 Redline CD.pdf; 12-2-21_EPA's comments on New Indy's 11-29-21 Appendix A redline.pdf; 12-2-21_ EPA's Draft Appendix A - CLEAN.docx; 12-2_20_EPA 's 3rd draft New Indy CD_CLEAN.docx

Importance: High

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 4:22 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy - Draft CD and Appendix A
Importance: High

Good Afternoon,

Ex. 7(A)

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/6/2021 2:22:26 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: preparing for public comments
Attachments: ENV_ENFORCEMENT-#3016414-v1-nic_settle_chart_of_intervener_experts_and_our_respone-mjp.docx

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Am I on the right track?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/6/2021 7:33:33 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Monday, December 6, 2021 1:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 6, 2021 8:49 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: NIC - Sunday night musings.

Hi Steve,

This is what I think our response would be...

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Sunday, December 5, 2021 8:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

Plan?

Steven O'Rourke

Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/7/2021 1:53:13 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: 12/8-12/10/21 and New Indy

Thanks, Todd,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 7, 2021 7:38 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 12/8-12/10/21

Hi Marirose,

I will be on leave tomorrow through Friday. I'll be available except for Thursday morning so let me know if you need my input on anything.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/7/2021 1:59:25 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: 12/8-12/10/21 and New Indy

Thanks! I'll send you an invitation for 10-10:30.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 7, 2021 8:57 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: 12/8-12/10/21 and New Indy

I received the 11:00 invitation and plan to be there.

Just let me know when you'd like to discuss stips. I can be available anytime today except from 9:00 to 10:00, 10:30 to 12:00, and 3:00 to 3:30.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 8:53 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: 12/8-12/10/21 and New Indy

Thanks, Todd,

Did you get my invitation for a meeting on Appendix A this morning? I thought you were free at that time when I sent the invitation but now it looks like you might have a conflict. If so, can you look over New Indy's proposed changes to Appendix A and let me, or your staff, know if you have any strong opinions on the proposed edits?

Ex. 5 AC / Ex. 7(A)

I'd like to be able to have a response for New Indy by the end of today, if possible.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 7, 2021 7:38 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 12/8-12/10/21

Hi Marirose,

I will be on leave tomorrow through Friday. I'll be available except for Thursday morning so let me know if you need my input on anything.

Regards,

Todd Russo
Chief, Air Enforcement Branch

Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/7/2021 7:12:33 PM
To: Held, Brendan [Held.Brendan@epa.gov]
CC: Denis Kler [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
Subject: New Indy - ORP monitoring time average

Hi Brendan,

Ex. 5 AC / Ex. 7(A)

Thanks in advance for your assistance!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/8/2021 8:12:37 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: New Indy CD

Hi Jim,

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, December 8, 2021 3:04 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Ex. 7(A)

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
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Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/8/2021 8:40:19 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: New Indy CD

Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Sent: Wednesday, December 8, 2021 3:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 3:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>

Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: New Indy CD

Hi Jim,

Ex. 7(A)

Please let me know if you have any other questions.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, December 8, 2021 3:04 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Ex. 7(A)

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>

Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Please let me know if you have any questions. I look forward to hearing from you later today.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/9/2021 4:08:33 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: New Indy CD
Attachments: 12-9-21 EPA's Draft Appendix A CLEAN.docx; Comparison of NI's Dec 9 draft Appendix A to EPA's clean Dec 9 draft.docx

Thanks for the quick replies. I am going to send out a meeting invitation for 3:00-3:30 this afternoon.

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, December 9, 2021 10:10 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: Re: New Indy CD

Other than a meeting at 2:00 pm and another at 4:00 pm, I can be available. Each of those meetings should last an hour or less. Stephanie and Steve, when are you available?

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To: Cobery, Jim <JimC@TheKraftGroup.com>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>

Cc: Stephanie Blackman <sblackman@schwarzpartners.com>, Steven D. Weber <steveweber@parkerpoe.com>, Nowell, Valerie <Nowell.Valerie@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
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Ex. 7(A)

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Marirose and Johanna,

Please find attached the following documents:

1. Revised draft of the Consent Decree, marked against the version that you provided yesterday;
2. Revised draft of Appendix A, marked to reflect our most recent changes;
3. A potential new version of Appendix B; and
4. A potential new version of Appendix C.

Please review these documents and let us know if you have any comments or questions.

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

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Regards,
Marirose

Marirose J. Pratt
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Sent: 12/9/2021 6:03:55 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Steven D. Weber [steveweber@parkerpoe.com]
Subject: RE: New Indy CD

Fantastic. Thanks for the quick turn-around.

Speak to you at 3:00.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, December 9, 2021 12:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, December 9, 2021 at 11:10 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Stephanie Blackman <sblackman@SchwarzPartners.com>, Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: New Indy CD

Thanks for the quick replies. I am going to send out a meeting invitation for 3:00-3:30 this afternoon.

Ex. 7(A)

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
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Subject: RE: New Indy CD

Thank you, Jim,

Ex. 7(A)

Regards,
Marirose

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Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Marirose and Johanna,

Please find attached the following documents:

1. Revised draft of the Consent Decree, marked against the version that you provided yesterday;
2. Revised draft of Appendix A, marked to reflect our most recent changes;
3. A potential new version of Appendix B; and
4. A potential new version of Appendix C.

Please review these documents and let us know if you have any comments or questions.

Thanks,

Jim

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Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Please find attached the two CDs I referenced during our meeting this morning. LG&E was lodged earlier this month. Penn Tex is from 2007.

I'm also attaching a proposed pdf to use as Appendix C (diagram of the wastewater treatment system).

Please let me know if you have any questions. I look forward to hearing from you later today.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 1:11:00 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy

Good morning. I hope you had a nice weekend too.

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 7:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 6:13 PM
To: Steve O'Rourke <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Johanna Valenzuela <Johanna.Valenzuela@usdoj.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Have a great weekend.

Marirose

Sent from my iPhone

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 1:17:39 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 8:14 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
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Ex. 5 AC / Ex. 7(A)

Marirose

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Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Have a great weekend.

Marirose

Sent from my iPhone

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 4:45:33 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]
Subject: RE: Amounts Spent and Civil Penalty
Attachments: 12-13-21_EPA 's 5th draft New Indy CD_CLEAN.docx; Comparison of EPA's Dec 9 draft to Dec 13 draft CD.docx

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Monday, December 13, 2021 9:58 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: Amounts Spent and Civil Penalty

Marirose,

Stephanie and I have obtained from our finance department information about how much we have spent and expect to spend to address the odor issue and its underlying causes, and to comply with the requirements of the Consent Decree and the likely enforcement order from South Carolina DHEC. Set forth below is a brief summary of what we have learned.

- Net additional 2021 spend related to odor was $8.4MM. This is for dredging, oxygen, peroxide, aerator maintenance, and 13 other capex projects and represents an amount beyond which we would have otherwise spent for expected maintenance and operations.
- 2022 spend is estimated at $19.5MM. This is for chemicals and the remaining spend on the 2021 capex projects that are underway, along with 10 additional capex projects.
- 2023 spend is estimated at $22.5MM. This is for chemicals and the remaining spend on the 2022 capex projects, along with 2 additional capex projects.
- 3-year estimated combined spend (2021 – 2023) is over $50MM.
- Ongoing spend is estimated at $6MM per year from 2024 forward. That would be chemicals and operating costs related to the 25 capex type projects completed between 2021 and 2023.

This does not include any state or federal penalties or any legal costs related to the odor issue or the class action lawsuits.

Stephanie and I have also discussed the proposed civil penalty with our business team. We appreciate the efforts that you and the other lawyers have made to reduce the civil penalty from the maximum amount that could have been asserted. Thank you. Notwithstanding that, we still find the proposed amount significantly higher than we expected. To get some context, we applied the stipulated penalties in the draft Consent Decree (without taking into effect any of the reductions that we requested) and we calculate the penalty to be no more than $783,500. Using our proposed stipulated penalties, the result would be even lower.

Also, we discussed the likely approach that South Carolina DHEC will take to its enforcement orders. We expect that they will seek a penalty at least equal to whatever is ultimately included in the Consent Decree.

Finally, we think it fair to consider the approach that New-Indy Catawba has consistently taken to this issue since the enforcement orders were first issued – we have endeavored to do what is right to address for the long term the underlying causes of the odor issue. We plan to continue to take that approach.

Given that we have already spent $8.4MM, that we expect to spend an additional $42MM to address the odor issue and its underlying causes, and to comply with the terms of the Consent Decree, that South Carolina DHEC also plans to penalize New-Indy Catawba, and that we have cooperated at every stage of this process, Stephanie and I suggest that the most appropriate civil penalty should be $783,500.

Please advise how you would like to proceed. We remain eager to finalize the Consent Decree at the earliest possible time.

Stephanie and Jim

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 9:05:44 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 9:13:59 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 4:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 9:30:16 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Next time!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Monday, December 13, 2021 4:18 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Any immediate concerns about the proposed language? Let me know.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

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sblackman@schwarzpartners.com
www.schwarzpartners.com

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/13/2021 9:46:43 PM
To: Stephanie Blackman [sblackman@SchwarzPartners.com]
CC: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Enjoy your evening.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 10:40:55 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]
Subject: New Indy - Final CD draft
Attachments: PennTex Rex CD_Entered.pdf; 12-14-21_EPA 's 6th draft New Indy CD_CLEAN.docx; comparison of EPA's Dec 13 to Dec 14 draft CD.docx

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 11:33:04 AM
To: Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason (Dressler.Jason@epa.gov) [Dressler.Jason@epa.gov]
Subject: New Indy briefing sheet and press release
Attachments: New Indy draft briefing sheet 2021 Dec 14.docx

Good morning,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 1:28:11 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Final CD draft

Absolutely!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Tuesday, December 14, 2021 8:26 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Final CD draft

I wrote it the way you have it, but that's not my preference. If you get a chance, can you make this one tweak please?

Johanna C. Valenzuela
Assistant United States Attorney
~~South Carolina~~ Federal Bar No. 11130
United States Attorney's Office
District of South Carolina
Telephone: (803) 929-3122
E-mail: johanna.valenzuela@usdoj.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd

<Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Sent: 12/14/2021 1:39:36 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy - Final CD draft

Thanks, Johanna!

See my responses below.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Sent: Tuesday, December 14, 2021 8:33 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
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From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 2:08:21 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

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Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, December 14, 2021 9:02 AM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Sent: Tuesday, December 14, 2021 8:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 8:40 AM
To: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: New Indy - Final CD draft

Thanks, Johanna!

See my responses below.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

me.

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<Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 3:19:59 PM
To: Stephanie Blackman [sblackman@SchwarzPartners.com]; Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New-Indy - Consent Decree
Attachments: comparison of EPA's Dec 13 to Dec 14 draft CD.docx; 12-14-21_EPA 's 6th draft New Indy CD_CLEAN.docx

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 3:21:51 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Subject: RE: New Indy - Final CD draft

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, December 14, 2021 9:52 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New Indy - Final CD draft

I think our signature page should look like this (same format for our prior filings), but of course when she's ready JV will insert her signature or /s/s signature. :

FOR THE UNITED STATES OF AMERICA:

M. RHETT DEHART
ACTING UNITED STATES ATTORNEY

BY: /s/_____
Johanna C. Valenzuela
Assistant United States Attorney
South Carolina Bar No. 11130
United States Attorney's Office
District of South Carolina
Telephone: (803) 929-3122
E-mail: johanna.valenzuela@usdoj.gov

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Steven O'Rourke
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Washington, DC 20044-7611
Tel. (202) 514-2779
Email: steve.o'rourke@usdoj.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 8:40 AM
To: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: New Indy - Final CD draft

Thanks, Johanna!

See my responses below.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Tuesday, December 14, 2021 8:33 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/14/2021 7:57:56 PM
To: Cobery, Jim [JimC@TheKraftGroup.com]; Stephanie Blackman [sblackman@schwarzpartners.com]; Weber, Steven D. [steveweber@parkerpoe.com]
Subject: RE: New-Indy - Consent Decree

Hold on. I'm catching a few typos in the CD. Sorry!

I will send a revised version shortly.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A) we are struggling to understand the reason why the civil penalty should be any higher than the amount that would apply to the historical conduct using your proposed stipulated penalties. We are trying to resolve this today, but the proposed civil penalty is more than double the amount we calculate.

Thank you for adding the new Whereas clause. We believe that such clause should help to clarify and dispel some of the misunderstandings that we have encountered in the community. In addition, we would like to ask if we can insert another provision in the Consent Decree to address misunderstandings about the health consequences of emissions of H2S at levels below the Fence Line Limits. The text set forth below is based on language in the Penn Tex Consent Decree. Please consider adding this to our Consent Decree.

"There is no applicable federal ambient air quality standard for hydrogen sulfide, and the Agency for Toxic Substances and Disease Registry's ("ATSDR") minimal risk levels ("MRLs") for H_2S are currently set at 600 parts per billion based on a study of 30-minute exposure to H_2S and at 70 parts per billion for longer term exposures. According to ATSDR, MRLs represent a level at or below which adverse health effects are unlikely to occur and that it should not be presumed that occasional excursions above that level will necessarily lead to a manifestation of toxicity, although the risk of experiencing adverse health effects will be expected to increase with increasing frequency and magnitude of excursions

above that level. Consequently, MRLs are intended as a screening tool for environmental and public health officials and are not intended to define clean up or action levels. Accordingly, the MRLs are a screening tool to evaluate whether the emission controls at the Facility are sufficient to adequately protect human health and welfare and the environment. Defendant has entered into this Consent Decree without agreeing to, or admitting the validity of, the MRL established by the ATSDR with respect to hydrogen sulfide, and whether such MRL is accepted by the scientific community as the appropriate level at or below which adverse health effects of exposure to hydrogen sulfide are unlikely to occur."

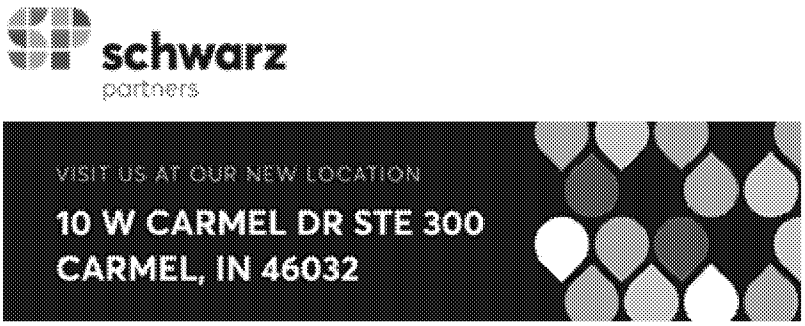
Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com



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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 9/9/2021 12:50:27 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy Term Sheet

No worries!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Thursday, September 9, 2021 8:50 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Term Sheet

You can disregard my last message

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:14 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason (Dressler.Jason@epa.gov) <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 12/16/2021 10:27:57 AM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: RE: [External] RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, December 15, 2021 5:24 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 3:09 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: [External] RE: New-Indy - Consent Decree

FYI!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Wednesday, December 15, 2021 2:59 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: [External] RE: New-Indy - Consent Decree

Hi Marirose,

Ex. 7(A)

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, December 15, 2021 1:30 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: [External] RE: New-Indy - Consent Decree

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Good afternoon,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 3:21 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:58 PM
To: 'Cobery, Jim' <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; 'Weber, Steven D.' <steveweber@parkerpoe.com>
Subject: RE: New-Indy - Consent Decree

Hold on. I'm catching a few typos in the CD. Sorry!

I will send a revised version shortly.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Tuesday, December 14, 2021 2:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven

D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Ex. 7(A)

Please let me know if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, December 14, 2021 1:40 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Stephanie Blackman <sblackman@schwarzpartners.com>; Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: Re: New-Indy - Consent Decree

Ex. 7(A)

Thank you.

Stephanie, Steve and Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Tuesday, December 14, 2021 at 10:24 AM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>, Cobery, Jim <JimC@TheKraftGroup.com>, Stephanie Blackman <sblackman@SchwarzPartners.com>, Weber, Steven D. <steveweber@parkerpoe.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>, Caballero, Kathryn <Caballero.Kathryn@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: RE: New-Indy - Consent Decree

Good morning,

Ex. 7(A)

Please do not hesitate to reach out if you have any questions.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 9/9/2021 12:56:34 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: New Indy Term Sheet

No apologies needed! I still don't know why sometimes the document sharing works and sometimes it doesn't.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Thursday, September 9, 2021 8:55 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Term Sheet

Thanks Marirose. Sorry to be a pest.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 9, 2021 8:52 AM
To: Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: New Indy Term Sheet

Please let me know if you have any trouble opening this one.

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Fried, Gregory <Fried.Gregory@epa.gov>
Sent: Thursday, September 9, 2021 8:51 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy Term Sheet

Actually, this link isn't working for me either. Can you send the most recent version of the term sheet?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 12:14 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy Term Sheet

Ex. 5 AC / Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason (Dressler.Jason@epa.gov) <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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Message

From: Pratt, Marirose [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B223918595AD4FE0985D3B46DA1803D5-PRATT, MARIROSE]
Sent: 9/16/2021 6:08:40 PM
To: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy 1st draft CD.

Thanks, Steve!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 9/21/2021 9:13:41 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: New Indy Term Sheet

Hi Marirose,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: England, JJ [England.Jj@epa.gov]
Sent: 10/5/2021 1:36:25 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Revised Term Sheet

Nothing from me

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 9:25 AM
To: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Revised Term Sheet

Thanks, Johanna!

Anyone else?

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Sent: Tuesday, October 5, 2021 8:56 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy Internal pre-meeting

Marirose,

Ex. 5 AC / Ex. 7(A)

Johanna C. Valenzuela
Assistant U.S. Attorney
District of South Carolina
Office: (803) 929-3122
Cell: (803) 445-7295

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 4:51 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; England, JJ

<England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy Internal pre-meeting

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Appointment-----
From: Pratt, Marirose
Sent: Monday, October 4, 2021 5:02 AM
To: Pratt, Marirose; O'Rourke, Steve (ENRD); Valenzuela, Johanna (USASC); Nowell, Valerie; Caballero, Kathryn; England, JJ
Subject: New Indy Internal pre-meeting
When: Monday, October 4, 2021 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Attached is a revised term sheet responding to New Indy's redline based on the program's feedback. Please review if you have time before this afternoon's internal meeting. Thanks!

Microsoft Teams meeting

Join on your computer or mobile app
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Or call in (audio only)

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Phone Conference ID: 119 589 123#

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Learn More | Meeting options

Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 9/7/2021 5:11:42 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Meeting

Hi Todd. I'll try to join if I can tomorrow, but please do not schedule around me.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, September 7, 2021 1:04 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>
Subject: New Indy Meeting

Hi All,

There maybe a call with New Indy tomorrow to hear their plan about minimizing H2S emissions and

Ex. 5 AC/DP / 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Mitchell, Ken [Mitchell.Ken@epa.gov]
Sent: 10/13/2021 9:49:15 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Brown, Ryan [Brown.Ryan@epa.gov]; Gillam, Rick [Gillam.Rick@epa.gov]
CC: George, Ingrid [George.Ingrid@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Mitchell, Ken [Mitchell.Ken@epa.gov]
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Sorry for the late response.....

Ex. 5 AWP / Ex. 7(A)

Ken

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 13, 2021 12:13 PM
To: Mitchell, Ken <Mitchell.Ken@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 DP / Ex. 7(A)

Ex. 7(A); Ex. 5 - Deliberative Process (DP);

Ex. 7(A); Ex. 5 - Deliberative Process (DP); Ex. 7(A); Ex. 5 - Deliberative Process (DP)

Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 9/8/2021 11:04:24 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy Term Sheet

Good morning Marirose,
The document looks really good. I had one minor edit. Great work.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, September 8, 2021 5:54 AM
To: Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy Term Sheet
Importance: High

Hi All,

Ex. 5 AC / Ex. 7(A)

If you have any trouble accessing the document, please let me know.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/18/2021 2:14:06 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/18/2021 7:47:45 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/18/2021 8:12:46 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: Monitor Station #3 and Catawba Express

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 3:11 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

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Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
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Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Cobery, Jim <JimC@TheKraftGroup.com>
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Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

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Jim

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/19/2021 1:39:30 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: NALCO fog

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Friday, November 19, 2021 at 6:13 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

Good morning,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Thank you.

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Ex. 7(A)

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Subject: Re: Monitor Station #3 and Catawba Express

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Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

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Marirose

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Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/23/2021 8:04:00 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: NALCO fog

Marirose,

Ex. 7(A)

Happy Thanksgiving,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Friday, November 19, 2021 at 9:11 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Friday, November 19, 2021 8:40 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>

Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: NALCO fog

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
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To: Cobery, Jim <JimC@TheKraftGroup.com>
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Subject: RE: NALCO fog

Good morning,

Ex. 7(A)

Regards,
Marirose

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Senior Air Enforcement Attorney
Air & EPCRA Law Office
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Thank you.

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Date: Thursday, November 18, 2021 at 3:11 PM
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Ex. 7(A)

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Marirose J. Pratt
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To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

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Subject: Re: Monitor Station #3 and Catawba Express

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Marirose J. Pratt
Senior Air Enforcement Attorney

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Ex. 7(A)

Thanks,

Jim

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/29/2021 5:05:35 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: NALCO fog

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Monday, November 29, 2021 at 5:58 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

Ex. 7(A)

Please let me know when you get a chance.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Tuesday, November 23, 2021 3:04 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: NALCO fog

Marirose,

Ex. 7(A)

Happy Thanksgiving,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Friday, November 19, 2021 at 9:11 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
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Subject: RE: NALCO fog

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Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Friday, November 19, 2021 at 6:13 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: NALCO fog

Good morning,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 3:13 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 3:11 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you.

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/6/2021 6:25:55 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 6, 2021 8:49 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: NIC - Sunday night musings.

Hi Steve,

This is what I think our response would be...

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Sunday, December 5, 2021 8:55 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - Sunday night musings.

Ex. 5 AC / Ex. 7(A)

Plan?

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/7/2021 1:57:01 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: 12/8-12/10/21 and New Indy

I received the 11:00 invitation and plan to be there.

Just let me know when you'd like to discuss stips. I can be available anytime today except from 9:00 to 10:00, 10:30 to 12:00, and 3:00 to 3:30.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 8:53 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: 12/8-12/10/21 and New Indy

Thanks, Todd,

Did you get my invitation for a meeting on Appendix A this morning? I thought you were free at that time when I sent the invitation but now it looks like you might have a conflict. If so, can you look over New Indy's proposed changes to Appendix A and let me, or your staff, know if you have any strong opinions on the proposed edits?

Ex. 5 AC / Ex. 7(A)

I'd like to be able to have a response for New Indy by the end of today, if possible.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 7, 2021 7:38 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 12/8-12/10/21

Hi Marirose,

I will be on leave tomorrow through Friday. I'll be available except for Thursday morning so let me know if you need my input on anything.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 9/30/2021 5:07:13 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 12:56 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 12:49 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 12:36 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela,

Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Thanks, Steve,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Thursday, September 30, 2021 12:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 12:26 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

That's it, I think.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 11:32 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] RE: Citizen intervention and term sheet negotiations

Super helpful. Thank you!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, September 30, 2021 11:01 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: Citizen intervention and term sheet negotiations

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, September 30, 2021 10:37 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: [EXTERNAL] Citizen intervention and term sheet negotiations

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4

Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: England, JJ [England.Jj@epa.gov]
Sent: 10/4/2021 4:20:24 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: New Indy Consent Decree Terms

Hi Marirose:

Ex. 5 AWP / Ex. 7(A)

Thanks,

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/6/2021 5:36:25 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy 1st draft CD.

I will do that. I will take this version and re-name it as "CD, after EPA, ready to go NI after proofing." I will cc you once a paralegal is assigned.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:49 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Thanks, Steve,

I've made all the changes. I am waiting from my program to confirm that they are ok with all of the stipulated penalty provisions. In the meantime, if you have a paralegal that has time to proof-read the attached for typos, cross-references, and any weird formating issues, that would be awesome!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 12:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

In response to "vn+mjp" version:

Ex. 5 AC/AWP/7(A)

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 5:11 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

A slightly revised version of what I meant to send yesterday afternoon. The vn+mjp comments_10-6-21 document should be clean, except for comment bubbles and highlighting that is intentional at this stage in the draft.

Please let me know what you think when you get a chance. If this version looks good, I plan to remove all comment bubbles before sending to New Indy.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Pratt, Marirose
Sent: Tuesday, October 5, 2021 8:58 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Yikes. Even though I saved a clean draft, my email attached an older version. I'm not sure how it did this because I still have the clean version open on my computer with the same file name. Maybe I'm going crazy. In any event, apologies for wasting your time! Most of your comments have already been addressed by the true "clean version," but I want to make a few more tweaks to address your comments on the stips. I will re-save and send a revised clean version after I have a chance to make those tweaks in the morning.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, October 5, 2021 6:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

My comments of substance:

Ex. 5 AC/AWP/7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Please find attached a revise clean draft CD that (after removing the comment bubbles), I think is ready to transmit to New Indy. I've also included a redline comparison of this revised draft to the original draft you sent us.

Note – I do not totally trust that the redline captures everything (but I wanted to get something to you) because it looks like some of the changes I made in the clean version are not showing up in the redline version. I think something is wrong with my compare file function. I'm not sure what is going on and will try to send a revised redline if I can figure it out.

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Here is a replacement version of the draft CD. I eliminated a provision that I'd had questions about (regarding taxes), and made a few other improvements.

Ex. 5 AC / Ex. 7(A)

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/6/2021 6:09:17 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy 1st draft CD.

John Moore at ENRD will proof our CD with the new name set out below. I've asked him to cc you on his findings.

From: O'Rourke, Steve (ENRD)
Sent: Wednesday, October 6, 2021 1:37 PM
To: 'Pratt, Marirose' <Pratt.Marirose@epa.gov>
Subject: RE: New Indy 1st draft CD.

I will do that. I will take this version and re-name it as "CD, after EPA, ready to go NI after proofing." I will cc you once a paralegal is assigned.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:49 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Thanks, Steve,

I've made all the changes. I am waiting from my program to confirm that they are ok with all of the stipulated penalty provisions. In the meantime, if you have a paralegal that has time to proof-read the attached for typos, cross-references, and any weird formating issues, that would be awesome!

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 12:19 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

In response to "vn+mjp" version:

Ex. 5 AC/AWP/7(A)

Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 5:11 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

A slightly revised version of what I meant to send yesterday afternoon. The vn+mjp comments_10-6-21 document should be clean, except for comment bubbles and highlighting that is intentional at this stage in the draft.

Please let me know what you think when you get a chance. If this version looks good, I plan to remove all comment bubbles before sending to New Indy.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Pratt, Marirose
Sent: Tuesday, October 5, 2021 8:58 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Yikes. Even though I saved a clean draft, my email attached an older version. I'm not sure how it did this because I still have the clean version open on my computer with the same file name. Maybe I'm going crazy. In any event, apologies for wasting your time! Most of your comments have already been addressed by the true "clean version," but I want to make a few more tweaks to address your comments on the stips. I will re-save and send a revised clean version after I have a chance to make those tweaks in the morning.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Tuesday, October 5, 2021 6:38 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy 1st draft CD.

Ex. 5 AC/AWP/7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 5, 2021 4:30 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: New Indy 1st draft CD.

Hi Steve,

Please find attached a revise clean draft CD that (after removing the comment bubbles), I think is ready to transmit to New Indy. I've also included a redline comparison of this revised draft to the original draft you sent us.

Note – I do not totally trust that the redline captures everything (but I wanted to get something to you) because it looks like some of the changes I made in the clean version are not showing up in the redline version. I think something is wrong with my compare file function. I'm not sure what is going on and will try to send a revised redline if I can figure it out.

Let me know if you have an questions or concerns about the edits.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Friday, September 24, 2021 11:46 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy 1st draft CD.

Hi all.

Here is a replacement version of the draft CD. I eliminated a provision that I'd had questions about (regarding taxes), and made a few other improvements.

Ex. 5 AC / Ex. 7(A)

Thanks.

From: O'Rourke, Steve (ENRD)
Sent: Thursday, September 16, 2021 12:09 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy 1st draft CD.

Ex. 5 AC / Ex. 7(A)

Thanks.

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 10/6/2021 9:26:35 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: Hi. is anyone free to take on a project?
Attachments: ENV_ENFORCEMENT-#3011985-v1-nic_settle_CD-_after_EPA__ready_to_go_to_NI__already_proofed_at_ENRD.DOCX

Flag: Follow up

Ex. 5 AC / Ex. 7(A)

THnsk

From: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Sent: Wednesday, October 6, 2021 5:05 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Hi. is anyone free to take on a project?

Ex. 5 AC / Ex. 7(A)

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 2:08 PM
To: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Hi. is anyone free to take on a project?

Thank you.

I've been working with Marirose Pratt at EPA – so if you have any questions, comments, etc, please cc her on your emails to me?

Pratt.Marirose@epa.gov

Thasnk.

From: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Sent: Wednesday, October 6, 2021 1:59 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: Hi. is anyone free to take on a project?

Can do.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Wednesday, October 6, 2021 1:39 PM
To: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Subject: RE: Hi. is anyone free to take on a project?

Ex. 5 AC / Ex. 7(A)

Thanks.

From: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Sent: Wednesday, August 25, 2021 10:11 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: Hi. is anyone free to take on a project?

Hi Steve,

I think that this is pretty much what you want.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, August 19, 2021 2:52 PM
To: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Subject: RE: Hi. is anyone free to take on a project?

Thank you!
It's 90-5-2-1-12471.

From: Moore, John (ENRD) <John.Moore3@usdoj.gov>
Sent: Thursday, August 19, 2021 2:41 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Beasley, Madison (ENRD) <Madison.Beasley@usdoj.gov>; Mosley, Jada C. (ENRD) <Jada.C.Mosley@usdoj.gov>; Fuller, Mark (ENRD) <Mark.Fuller@usdoj.gov>; Duncan, Tiffany (ENRD) <Tiffany.Duncan@usdoj.gov>; Brown, Ken (ENRD) <Ken.Brown@usdoj.gov>
Subject: RE: Hi. is anyone free to take on a project?

I'll take this one.

From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, August 19, 2021 2:39 PM
To: Beasley, Madison (ENRD) <Madison.Beasley@usdoj.gov>; Mosley, Jada C. (ENRD) <Jada.C.Mosley@usdoj.gov>; Fuller, Mark (ENRD) <Mark.Fuller@usdoj.gov>; Moore, John (ENRD) <John.Moore3@usdoj.gov>; Duncan, Tiffany (ENRD) <Tiffany.Duncan@usdoj.gov>; Brown, Ken (ENRD) <Ken.Brown@usdoj.gov>
Subject: Hi. is anyone free to take on a project?

Ex. 5 AC / Ex. 7(A)

Thank you.

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/7/2021 4:37:39 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review

FYI - from Carol. She's good with the approach.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 12:37 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: Re: New Indy CD - draft stipulated penalties for quick review

This approach looks good.

Sent from my iPhone

On Oct 7, 2021, at 12:05 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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61 Forsyth Street, S.W.
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Phone: 404-562-9023
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Message

From: Mitchell, Ken [Mitchell.Ken@epa.gov]
Sent: 10/13/2021 3:13:03 PM
To: Walker, Rashidra [Walker.Rashidra@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Brown, Ryan [Brown.Ryan@epa.gov]; Gillam, Rick [Gillam.Rick@epa.gov]
CC: George, Ingrid [George.Ingrid@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Mitchell, Ken [Mitchell.Ken@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/13/2021 4:13:12 PM
To: Mitchell, Ken [Mitchell.Ken@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Brown, Ryan [Brown.Ryan@epa.gov]; Gillam, Rick [Gillam.Rick@epa.gov]
CC: George, Ingrid [George.Ingrid@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Gillam, Rick [Gillam.Rick@epa.gov]
Sent: 10/13/2021 7:43:37 PM
To: Mitchell, Ken [Mitchell.Ken@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Brown, Ryan [Brown.Ryan@epa.gov]
CC: George, Ingrid [George.Ingrid@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods
Attachments: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Ken and All,

Ex. 5 DP / Ex. 7(A)

-Rick

From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Guillot, Richard [Guillot.Richard@epa.gov]
Sent: 10/19/2021 1:11:12 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]
CC: Zachary, Adam [zachary.adam@epa.gov]; Wellborn, Floyd [Wellborn.Floyd@epa.gov]
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies
Attachments: New Indy Containerboard Draft NOPVOC kit_mjp 10-6-21 vn 10 15 2021 kit rpg.docx

Hi Marirose:

Ex. 5 AC / Ex. 7(A)

Thanks
Richard

Richard Guillot
Environmental Engineer

U.S. EPA, Region 4
Laboratory Services & Applied Science Division
980 College Station Road
Athens, Georgia 30605

P: (706) 355-8737
F: (706) 355-8744
guillot.richard@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 8:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Guillot, Richard <Guillot.Richard@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi Richard,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 6, 2021 4:28 PM
To: Guillot, Richard <Guillot.Richard@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Thank you Richard!

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Guillot, Richard <Guillot.Richard@epa.gov>
Sent: Wednesday, October 6, 2021 4:01 PM
To: Zachary, Adam <zachary.adam@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd:

I have made a change to the footnote, please review.

Thanks
Richard

Richard Guillot
Environmental Engineer

U.S. EPA, Region 4
Laboratory Services & Applied Science Division
980 College Station Road
Athens, Georgia 30605

P: (706) 355-8737
F: (706) 355-8744
guillot.richard@epa.gov

From: Zachary, Adam <zachary.adam@epa.gov>
Sent: Wednesday, October 06, 2021 2:56 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Good afternoon,

I hope all is well, and thanks for sharing the document. Attached, please find a response to the commentary for the NOPVOC document. If there are any questions, please inform me.

Best Regards,
Adam

Adam M. Zachary, Ph.D. ¦ Physical Scientist ¦
Laboratory Services and Applied Science Division ¦ Quality and Support Branch ¦ Quality Assurance Section ¦
U.S. Environmental Protection Agency ¦ 980 College Station Road ¦ Athens, GA 30605-2720 ¦
Voice: 706-355-8657 ¦ Email: zachary.adam@epa.gov

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 06, 2021 1:52 PM
To: Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

ENFORCEMENT CONFIDENTIAL

Can someone answer Marirose's questions in the attached NOPVOC?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Wellborn, Floyd <Wellborn.Floyd@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd,

Please see the attached email with some brief comments from Richard and Adam about the letter. After checking the footnote as you requested, we do not have any issues with it. I think you are good to go regarding the footnote.

Hope this helps,
Floyd

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, October 05, 2021 6:49 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi All,

Can you check the footnote in the attached NOPVOC for accuracy and also please let me know if you have any other comments? The document has started routing for Carol's signature.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 11:24 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: Draft of NOPVOC for New Indy QAPP Evaluation

ENFORCEMENT CONFIDENTIAL

Hi Sandra,

Attached is a draft notice of potential violation for the New Indy QAPP deficiencies. It includes the deficiencies from the onsite evaluation and the QAPP audit.

Please review and please let me know if you have any comments.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Friday, October 1, 2021 11:17 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 2nd Draft of NOPVOC for New Indy

This is the second draft of the NOPVOC. Please let me know if you have any comments, corrections or additions.

Thanks.

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/15/2021 3:47:40 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
Subject: FW: New Indy - Toxicologist Questions

John intended to share this with you as well. He's out of the office until next week and we could follow up then if there are any questions.

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: John Wilhelmi <John.Wilhelmi@erg.com>
Sent: Friday, October 15, 2021 3:24 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Confidential / Attorney-Client Communication / Attorney Work Product / FOIA exempt / Do Not Release

Hi Kathryn –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

John Wilhelmi
Vice President, Environmental and Occupational Health
Eastern Research Group, Inc. (ERG)
(617) 823-7985
www.erg.com

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 11:10 AM
To: John Wilhelmi <John.Wilhelmi@erg.com>
Cc: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

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Hi John,

Ex. 5 AC / Ex. 7(A)

Please let us know your thoughts when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>

Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/8/2021 8:18:36 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: New Indy CD

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 3:12 PM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: New Indy CD

Hi Jim,

Ex. 7(A)

Please let me know if you have any other questions.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, December 8, 2021 3:04 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>

Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Ex. 7(A)

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 11/18/2021 5:16:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Taylor, Kevin [Taylor.Kevin@epa.gov]
Sent: 11/29/2021 7:01:33 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.
Attachments: 11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo kit.docx

Hey Marirose,
The document is clear and very well written. I had a few very minor edits but nothing significant to add. They are highlighted on the attached document.

Ex. 5 AC / Ex. 7(A)

Sincerely,
Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, November 29, 2021 12:01 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Pratt, Marirose shared "11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo" with you.

Pratt, Marirose shared a file with you

Hi All, Here is a link to a draft settlement justification memo for the New Indy matter in the event we settle.

I am expecting to receive New Indy's comments on the CD and Appendix A today. I'll set up a meeting asap if there is anything we need to discuss.

Thanks,
Marirose

11-22-21_New Indy CAA 303_Draft_Settlement Approval Memo

This link only works for the direct recipients of this message.

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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/2/2021 5:54:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Draft CD

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, December 2, 2021 12:50 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] RE: New Indy - Draft CD
Importance: High

Hang on. I attached the wrong document for the comments on the redline. Please review this one instead.

Sorry!

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, December 2, 2021 10:27 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; johanna.valenzuela@usdoj.gov
Subject: New Indy - Draft CD

Good morning,

Please find attached a revised clean (except for one item) draft of the CD as well as a document that responds to New Indy's 11/30/21 redline draft of the CD.

Ex. 5 AC / Ex. 7(A)

Please let me know if you agree and if you have any comments or suggested edits to either of the other documents when you get a chance.

I am waiting on the program to review draft comments responding to New Indy's redline of Appendix A, and a revised draft Appendix A, and will share those with the legal team, hopefully, later today.

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/6/2021 8:41:25 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: preparing for public comments

Yes. Thank you.

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 6, 2021 9:22 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] preparing for public comments

Hi Steve,

Ex. 5 AC / Ex. 7(A)

Am I on the right track?

Thanks!
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/8/2021 8:04:04 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: New Indy CD

Ex. 7(A)

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/9/2021 2:49:53 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: New Indy CD
Attachments: ATT00001.txt; 12-8-21 4th draft New Indy CD New-Indy Comments REDLINE.docx; Appendix C - New-Indy Catawba LLC WWTP Chemical Addition Diagram - November 2021[56].pdf; EPA Draft Appendix A NI Comments 12-8 REDLINE.docx

Marirose and Johanna,

Please find attached the following documents:

1. Revised draft of the Consent Decree, marked against the version that you provided yesterday;
2. Revised draft of Appendix A, marked to reflect our most recent changes;
3. A potential new version of Appendix B; and
4. A potential new version of Appendix C.

Please review these documents and let us know if you have any comments or questions.

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/9/2021 4:31:25 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: New Indy CD

I am available for a call.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, December 9, 2021 at 11:10 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Stephanie Blackman <sblackman@SchwarzPartners.com>, Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: New Indy CD

Thanks for the quick replies. I am going to send out a meeting invitation for 3:00-3:30 this afternoon.

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, December 9, 2021 10:10 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: Re: New Indy CD

Other than a meeting at 2:00 pm and another at 4:00 pm, I can be available. Each of those meetings should last an hour or less. Stephanie and Steve, when are you available?

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, December 9, 2021 at 10:08 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>, Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>, Steven D. Weber <steveweber@parkerpoe.com>, Nowell, Valerie <Nowell.Valerie@epa.gov>, O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy CD

Thank you, Jim,

Ex. 7(A)

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Marirose

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Senior Air Enforcement Attorney
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, December 9, 2021 9:50 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: New Indy CD

Marirose and Johanna,

Please find attached the following documents:

1. Revised draft of the Consent Decree, marked against the version that you provided yesterday;
2. Revised draft of Appendix A, marked to reflect our most recent changes;
3. A potential new version of Appendix B; and
4. A potential new version of Appendix C.

Please review these documents and let us know if you have any comments or questions.

Thanks,

Jim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Wednesday, December 8, 2021 at 9:15 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
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Message

From: Cobery, Jim [JimC@TheKraftGroup.com]
Sent: 12/9/2021 5:47:58 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Stephanie Blackman [sblackman@schwarzpartners.com]; Steven D. Weber [steveweber@parkerpoe.com]
Subject: Re: New Indy CD

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, December 9, 2021 at 11:10 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Stephanie Blackman <sblackman@SchwarzPartners.com>, Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: New Indy CD

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Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Steven D. Weber <steveweber@parkerpoe.com>; Nowell, Valerie <Nowell.Valerie@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
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Subject: Re: New Indy CD

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2. Revised draft of Appendix A, marked to reflect our most recent changes;
3. A potential new version of Appendix B; and
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To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: New Indy CD

Hi Jim,

Ex. 7(A)

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 1:13:48 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 8:11 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Good morning. I hope you had a nice weekend too.

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 7:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Hi Marirose ,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 6:13 PM
To: Steve O'Rourke <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Johanna Valenzuela <Johanna.Valenzuela@usdoj.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Marirose

Sent from my iPhone

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 1:22:14 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 8:18 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 8:14 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>

Sent: Monday, December 13, 2021 8:11 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Good morning. I hope you had a nice weekend too.

Ex. 5 AC / Ex. 7(A)

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
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U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 7:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Hi Marirose - I hope you had a good weekend. H

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

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Enforcement and Compliance Assurance Division U.S. EPA Region 4
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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 6:13 PM
To: Steve O'Rourke <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Johanna Valenzuela <Johanna.Valenzuela@usdoj.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Have a great weekend.

Marirose

Sent from my iPhone

Message

From: Stephanie Blackman [sblackman@SchwarzPartners.com]
Sent: 12/13/2021 9:00:29 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]; Stephanie Blackman [sblackman@schwarzpartners.com]
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION

10 W CARMEL DR STE 300
CARMEL, IN 46032

Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/13/2021 9:08:22 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
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Subject: New-Indy - Consent Decree

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Ex. 7(A)

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Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 9:12:27 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

THIS MESSAGE, INCLUDING ATTACHMENTS, CONTAINS SENSITIVE INFORMATION THAT IS INTENDED ONLY FOR THE RECIPIENT(S). INFORMATION IN THIS MESSAGE IS CONFIDENTIAL AND MAY BE PROTECTED BY ATTORNEY/CLIENT, WORK PRODUCT, OR OTHER PRIVILEGES.

From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION

10 W CARMEL DR STE 300
CARMEL, IN 46032

Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/13/2021 9:17:49 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Subject: [EXTERNAL] FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
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Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

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317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Stephanie Blackman [sblackman@SchwarzPartners.com]
Sent: 12/13/2021 10:19:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Cobery, Jim [JimC@TheKraftGroup.com]; Weber, Steven D. [steveweber@parkerpoe.com]
Subject: RE: [External] RE: New-Indy - Consent Decree

Thank you Marirose, we look forward to hearing from you tomorrow. Have a good evening.

Regards,
Stephanie

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:47 PM
To: Stephanie Blackman <sblackman@SchwarzPartners.com>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@SchwarzPartners.com>
Subject: [External] RE: New-Indy - Consent Decree

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Ex. 7(A)

Enjoy your evening.

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
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Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

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CARMEL, INDIANA 46032

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sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/14/2021 1:26:11 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Final CD draft

I wrote it the way you have it, but that's not my preference. If you get a chance, can you make this one tweak please?

Johanna C. Valenzuela
Assistant United States Attorney
~~South Carolina~~ Federal Bar No. 11130
United States Attorney's Office
District of South Carolina
Telephone: (803) 929-3122
E-mail: johanna.valenzuela@usdoj.gov

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
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Message

From: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]
Sent: 12/14/2021 1:32:54 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 5:41 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

I've also attached a redline comparing yesterday's draft CD with today's so you can see that I also changed two instances of "facility" to "Facility" for consistency.

Please review the new language carefully and let me know if you have any concerns. If not, I will send this proposed final draft to New Indy this morning and let them know that if they have no other changes, we will send a pdf for signature.

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
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Message

From: O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
Sent: 12/14/2021 2:02:21 PM
To: Valenzuela, Johanna (USASC) [Johanna.Valenzuela@usdoj.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>
Sent: Tuesday, December 14, 2021 8:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: RE: New Indy - Final CD draft

Ex. 5 AC / Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 8:40 AM
To: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: New Indy - Final CD draft

Thanks, Johanna!

See my responses below.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Sent: Tuesday, December 14, 2021 8:33 AM

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Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Sent: 12/14/2021 1:43:22 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; O'Rourke, Steve (ENRD) [Steve.O'Rourke@usdoj.gov]
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Subject: [EXTERNAL] RE: New Indy - Final CD draft

Thanks, Johanna!

See my responses below.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Subject: [EXTERNAL] New Indy - Final CD draft

Good morning All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

p.s. Steve, Johanna, and Kathryn, please double check the signature blocks and let me know if you have any changes.

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Subject: RE: New Indy - Final CD draft

I think our signature page should look like this (same format for our prior filings), but of course when she's ready JV will insert her signature or /s/s signature. :

FOR THE UNITED STATES OF AMERICA:

M. RHETT DEHART
ACTING UNITED STATES ATTORNEY

BY: /s/_____
Johanna C. Valenzuela
Assistant United States Attorney
South Carolina Bar No. 11130
United States Attorney's Office
District of South Carolina
Telephone: (803) 929-3122
E-mail: johanna.valenzuela@usdoj.gov

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Steven O'Rourke
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Washington, DC 20044-7611
Tel. (202) 514-2779
Email: steve.o'rourke@usdoj.gov

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To: Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Subject: [EXTERNAL] RE: New Indy - Final CD draft

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Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office

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To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
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Ex. 5 AC/AWP/7(A)

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Subject: [EXTERNAL] New Indy - Final CD draft

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Ex. 5 AC / Ex. 7(A)

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Message

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 12/14/2021 2:50:51 PM
To: Russo, Todd [Russo.Todd@epa.gov]

I just want to make sure you are ok with the CD Ex. 5 AC / Ex. 7(A)

Message

From: Pratt.Marirose@epa.gov [Pratt.Marirose@epa.gov]
Sent: 11/18/2021 9:43:01 PM
To: Russo, Todd [Russo.Todd@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Re: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Marirose

Sent from my iPhone

On Nov 18, 2021, at 3:16 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:21:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Tentative

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

), 70

Ex. 5 AC / Ex. 7(A)

Valerie, I know this is the same time as our branch meeting but it looks to be the only time both Todd and Tim are available tomorrow or Thursday.

Microsoft Teams meeting

[1] The 70 ppb standard is supposed to measure "chronic" exposure. The average is unduly influenced by high readings and thus does not address chronic. By requiring 5 days in a 7 day period, this is more likely to reflect a chronic issue.

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,454270243# United States, Atlanta
Phone Conference ID: 454 270 243#
Find a local number | Reset PIN

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Learn More | Meeting options

Message

From: Secrest, Cary [Secrest.Cary@epa.gov]
Sent: 9/7/2021 5:46:23 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: Re: New Indy Meeting

I'm busy much of the day. Go ahead and schedule for the PI's (Kler et al)

Address for UPS, FedEx, etc. (not USPS):

Mr. Cary Secrest, Inspector
U.S. EPA Air Enforcement Division
W.J. Clinton South Bldg. Rm. 2111A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 564-8661
secrest.cary@epa.gov

Address for Shipping Laboratory Supplies:

Mr. Cary Secrest
EPA Environmental Science Center
Rm H201
701 Mapes Road
Ft. Meade, MD 20755-5350
Main Number: (401) 305-2600
Deliveries/Shipping 08:30 to 15:00

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, September 7, 2021 1:03 PM
To: Kler, Denis <Kler.Denis@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>
Subject: New Indy Meeting

Hi All,

There maybe a call with New Indy tomorrow to hear their plan about minimizing H2S emissions and

Ex. 5 AC/ DP / Ex. 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/7/2021 6:27:09 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Ward, Nacosta [Ward.Nacosta@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Thank you Carol. Have you already sent this up? If not, I have one addition in red font for your consideration after a call I was just on with OGC about the brief.

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 2:25 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Ward, Nacosta <Ward.Nacosta@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:42 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>

Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Thank you! I would plan to just share what you have with our front office, for Larry's awareness, and recommend that OCE create no new content for the Administrator.

Thanks,
Kathryn

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 11:31 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Kathryn,

I will get a draft to you later today. We are pulling it together now.

Carol

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:18 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

Message

From: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Sent: 10/7/2021 6:31:24 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]
CC: Russo, Todd [Russo.Todd@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Ward, Nacosta [Ward.Nacosta@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Many thanks Carol and Region 4 team!

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 2:30 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Ward, Nacosta <Ward.Nacosta@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Not yet. It is still draft. We will include your edit!

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 2:27 PM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Ward, Nacosta <Ward.Nacosta@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

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Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 2:25 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Ward, Nacosta <Ward.Nacosta@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Newman, Keriema <Newman.Keriema@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:42 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

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Kathryn

From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 11:31 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Kathryn,

I will get a draft to you later today. We are pulling it together now.

Carol

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 11:18 AM
To: Kemker, Carol <Kemker.Carol@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: Quick question on coordination for the Friday confidential note for the Administrator (time-sensitive)

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 9/24/2021 11:49:33 AM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]
Subject: FW: New Indy Comments to Proposed Settlement Term Sheet
Attachments: 9-23 EPA Settlement Term Sheet Redline.docx; 9-23 Settlement Term Sheet New-Indy Comments REDLINE.docx; Steam Stripper Trials Description.docx; New-Indy Catawba Liquor Containment Drawings.jpg; Pre-Clarifier SOlids Removal Project.docx

New Indy's comments to the term sheet.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, September 24, 2021 6:26 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: Comments to Proposed Settlement Term Sheet

Hi All,

FYI ...This came in from New Indy last night.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, September 23, 2021 8:03 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Cc: Stephanie Blackman <sblackman@schwarzpartners.com>; Sparks, Mallory S. <mallorysparks@parkerpoe.com>; Steven D. Weber <steveweber@parkerpoe.com>; Golden, Rebecca <RebeccaG@thekraftgroup.com>; Randy Lowell <rlowell@willoughbyhoefer.com>
Subject: Comments to Proposed Settlement Term Sheet

Ex. 7(A)

Thanks,

Jim

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 10/7/2021 4:05:41 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Thanks, Todd,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division

Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

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Ex. 5 AC / Ex. 7(A)

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of

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM

To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 10/7/2021 4:36:30 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: Re: New Indy CD - draft stipulated penalties for quick review

This approach looks good.

Sent from my iPhone

On Oct 7, 2021, at 12:05 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
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Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler,

Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 10/7/2021 4:36:31 PM
To: Russo, Todd [Russo.Todd@epa.gov]
Subject: Re: New Indy CD - draft stipulated penalties for quick review

Todd, This approach looks good. Thanks, Carol

Sent from my iPhone

On Oct 7, 2021, at 12:05 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler,

Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [Russo.Todd@epa.gov]
Sent: 12/13/2021 9:08:18 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: FW: New-Indy - Consent Decree

Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION

10 W CARMEL DR STE 300
CARMEL, IN 46032

Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 12/13/2021 9:09:11 PM
To: Russo, Todd [Russo.Todd@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: RE: New-Indy - Consent Decree

Good news!

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 4:08 PM
To: Kemker, Carol <Kemker.Carol@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Any immediate concerns about the proposed language? Let me know.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION
10 W CARMEL DR STE 300
CARMEL, IN 46032

Message

From: Kemker, Carol [Kemker.Carol@epa.gov]
Sent: 12/9/2021 11:16:45 PM
To: Blackman, Daniel [Blackman.Daniel@epa.gov]
CC: Palmer, Leif [Palmer.Leif@epa.gov]; Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
Subject: New Indy - Matter Potentially requiring RA Concurrence
Attachments: 12-1-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

Daniel,

Thanks for the quick conversation this evening about New Indy and the upcoming schedule.

Ex. 5 AC / Ex. 7(A)

Attached is the **draft** settlement justification memo. The settlement justification memo provides much of the information of the case. We will have a briefing sheet for you next week.

Carol L. Kemker
Director
Enforcement and Compliance Assurance Division
EPA Region 4
404-562-8975

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 9/7/2021 5:03:54 PM
To: Denis Kler [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; 'Valerie Nowell' [Nowell.Valerie@epa.gov]; Gregory Fried (Fried.Gregory@epa.gov) [Fried.Gregory@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Foley, Patrick [Foley.Patrick@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: New Indy Meeting

Hi All,

There maybe a call with New Indy tomorrow to hear their plan about minimizing H2S emissions and

Ex. 5 DP/ AC / Ex. 7(A)

Please let me know by 3:00 today if you have any times tomorrow that you are not available.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/1/2021 12:03:43 PM
To: Jason Dressler [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM

To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/1/2021 12:25:32 PM
To: Jason Dressler [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 8:13 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Hi Valerie,

Ex. 5 AWP/ Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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intended recipient, please do not read, print, copy, use or disclose this communication to others; also, please notify the sender by replying to this message, and then delete it from your system. Thank you.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/1/2021 11:41:25 AM
To: Frederick, Tim [Frederick.Tim@epa.gov]; Davis, Amber [Davis.Amber@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]; 'Valerie Nowell' [Nowell.Valerie@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: 9-29-21 Osa Declaration filed.pdf

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/1/2021 1:21:37 PM
To: Hodoh, Ofia [Hodoh.Ofia@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Many thanks!

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Hodoh, Ofia <Hodoh.Ofia@epa.gov>
Sent: Friday, October 1, 2021 8:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Todd,

ARD will review the questions in the email and work on providing a response.

Ofia Hodoh, DrPH
Chief, Communities and Air Toxics Section
Air and Radiation Division
U.S. EPA Region 4
61 Forsyth St. SW, Atlanta, Georgia 30303
Office (404) 562-9176 ***EPA Mobile*** (404) 809-1850
Email hodoh.ofia@epa.gov

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Sent: 10/1/2021 1:57:39 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Nowell, Valerie [Nowell.Valerie@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 8:13 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Hi Valerie,

Ex. 5 AWP / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/4/2021 8:24:43 PM
To: Nowell, Valerie [Nowell.Valerie@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Just let me know.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 2:31 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 2:24 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>

Cc: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 2:07 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Monday, October 4, 2021 1:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4

Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 4, 2021 8:46 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: England, JJ <England.Jj@epa.gov>
Sent: Friday, October 1, 2021 12:52 PM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM
To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
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Subject: RE: New Indy - Toxicologist

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
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Sent: 10/4/2021 12:54:21 PM
To: Jason Dressler [Dressler.Jason@epa.gov]
Subject: FW: New Indy - Toxicologist Questions
Attachments: Osa declaration.pdf

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Hi Todd –

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell

Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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To: Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Valerie,

Ex. 5 AWP / Ex. 7(A)

Let me know if you need further information.

JJ England
Attorney Adviser, Air & EPCRA Law Office
U.S. EPA - Region 4
Direct: (404) 562-9489

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Friday, October 1, 2021 11:58 AM

To: England, JJ <England.Jj@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Ex. 5 AWP / Ex. 7(A)

Please give me or Marirose a call to fill in other details if you need more. Thank you very much.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
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Sent: Friday, October 1, 2021 8:03 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy - Toxicologist Questions

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/7/2021 11:28:37 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review
Attachments: ENV_ENFORCEMENT-#3005505-vn+mjp comments__10-6-21.docx

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>

Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/7/2021 4:05:41 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Pratt, Marirose
Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division

Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

So I'm having several random thoughts about this. Anyone have any thoughts about it?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM

To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/7/2021 1:48:12 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/7/2021 4:37:39 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy CD - draft stipulated penalties for quick review

FYI - from Carol. She's good with the approach.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kemker, Carol <Kemker.Carol@epa.gov>
Sent: Thursday, October 7, 2021 12:37 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: Re: New Indy CD - draft stipulated penalties for quick review

This approach looks good.

Sent from my iPhone

On Oct 7, 2021, at 12:05 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, October 7, 2021 11:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Please let me know if you have any questions.
Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
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Phone: 404-562-9023
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Sent: Thursday, October 7, 2021 10:02 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Thoughts?

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Sent: Thursday, October 7, 2021 9:48 AM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Thursday, October 7, 2021 9:19 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

Best,
Kathryn

Kathryn Pirrotta Caballero
Acting Deputy Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 7, 2021 7:29 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: FW: New Indy CD - draft stipulated penalties for quick review

Ex. 5 AC / Ex. 7(A)

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Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, October 6, 2021 12:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: New Indy CD - draft stipulated penalties for quick review

Hi Todd, Jason, and Kevin,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/7/2021 8:55:50 PM
To: Gillam, Rick [Gillam.Rick@epa.gov]
CC: Rinck, Todd [Rinck.Todd@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Hi Rick,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, October 4, 2021 10:00 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

HI, Marirose –

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Let me know if you have any additional questions.

Tim

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 4, 2021 8:47 AM
To: Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>
Subject: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Good morning ARD,

Ex. 5 AC / Ex. 7(A)

Regards,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 7:41 AM
To: Frederick, Tim <Frederick.Tim@epa.gov>; Davis, Amber <Davis.Amber@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>
Cc: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Subject: FW: New Indy - Toxicologist Questions

Good Morning,

Please see ORC's questions below.

Thanks again to everyone for the support in the New Indy matter.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 1, 2021 6:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy - Toxicologist

Hi All,

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/13/2021 4:13:12 PM
To: Mitchell, Ken [Mitchell.Ken@epa.gov]; Walker, Rashidra [Walker.Rashidra@epa.gov]; Hodoh, Ofia [Hodoh.Ofia@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Rinck, Todd [Rinck.Todd@epa.gov]; Garver, Daniel [Garver.Daniel@epa.gov]; Brown, Ryan [Brown.Ryan@epa.gov]; Gillam, Rick [Gillam.Rick@epa.gov]
CC: George, Ingrid [George.Ingrid@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/13/2021 4:13:48 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]; Newman, Keriema [Newman.Keriema@epa.gov]; Denis Kler [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

ARD information below.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/13/2021 8:18:44 PM
To: Denis Kler [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods
Attachments: RE: New Indy - Toxicologist QuestionsFrederick, Tim <Frederick.Tim@epa.gov>

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Gillam, Rick <Gillam.Rick@epa.gov>
Sent: Wednesday, October 13, 2021 3:44 PM
To: Mitchell, Ken <Mitchell.Ken@epa.gov>; Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: Methyl Mercaptan Ambient Monitoring Methods

Hi Ken and All,

Ex. 5 AWP / Ex. 7(A)

-Rick

From: Mitchell, Ken <Mitchell.Ken@epa.gov>
Sent: Wednesday, October 13, 2021 11:13 AM
To: Walker, Rashidra <Walker.Rashidra@epa.gov>; Hodoh, Ofia <Hodoh.Ofia@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>; Rinck, Todd <Rinck.Todd@epa.gov>; Garver, Daniel <Garver.Daniel@epa.gov>; Brown, Ryan <Brown.Ryan@epa.gov>; Gillam, Rick <Gillam.Rick@epa.gov>
Cc: George, Ingrid <George.Ingrid@epa.gov>; Frederick, Tim <Frederick.Tim@epa.gov>; Pratt, Marirose

<Pratt.Marirose@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: Methyl Mercaptan Ambient Monitoring Methods

ts

Ex. 5 AWP / Ex. 7(A)

Ex. 5 AWP / Ex. 7(A)

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/25/2021 11:54:34 AM
To: Jason Dressler [Dressler.Jason@epa.gov]
Subject: FW: NIC - brief due WED.
Attachments: 2021-10-20_New Indy Brief in opposition to intervention.pdf; 2021-10-20_US brief in opposition to intervention.pdf

FYI

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 25, 2021 6:00 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: NIC - brief due WED.

Good morning!

Here are the briefs in case Valerie or someone else didn't already send them along.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Thursday, October 21, 2021 6:43 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: NIC - brief due WED.

Good morning Marirose,

Just checking to see if the brief was filed yesterday?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, October 19, 2021 7:07 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: FW: NIC - brief due WED.

Hi Todd,

Here is a copy of the brief as of yesterday afternoon. Yes, we are still planning to file tomorrow. DOJ is working on proofreading and cite checking today so there shouldn't be any more substantive changes.

Also, we met with New Indy's counsel yesterday afternoon. They plan to send us the information on the ORP monitoring program today. I will forward it along to the team as soon as I receive it.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 3:23 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Hi Steve,

I have a couple comments and edits, not much though.

Thank you again, it looks good.

Valerie Nowell
Chief, Air & EPCRA Law Office
U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Monday, October 18, 2021 9:01 AM
To: Nowell, Valerie <Nowell.Valerie@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Valerie – you should review the attached version, removed from sharepoint, reviewed by Lori's boss Karen.

From: Nowell, Valerie <Nowell.Valerie@epa.gov>
Sent: Monday, October 18, 2021 8:16 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

Thank you.

Valerie Nowell
Chief, Air & EPCRA Law Office

U.S. Environmental Protection Agency, Region 4
(404) 562-9555

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Saturday, October 16, 2021 6:12 PM
To: Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: RE: NIC - brief due WED.

Ex. 5 AC / Ex. 7(A)

From: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Sent: Friday, October 15, 2021 3:41 PM

To: Pratt, Marirose <Pratt.Marirose@epa.gov>; O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <JValenzuela@usa.doj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>
Subject: [EXTERNAL] RE: NIC - brief due WED.

Ex. 5 AC / AWP / Ex. 7(A)

Thanks,
Kathryn

Kathryn Pirrotta Caballero
Acting Associate Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC 20460
(202) 564 -1849 (w)
(202) 441 -3905 (c)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, October 15, 2021 6:40 AM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: RE: NIC - brief due WED.

Thanks, Steve! I think it is looking good. :)

I've made revisions to address the comments you had left in some of the sections I had edited, hopefully addressing them.

I'm happy to chat over the phone later today about anything you still have questions about. Let me know how else I can help.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486

pratt.marirose@epa.gov

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From: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>
Sent: Thursday, October 14, 2021 6:35 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; England, JJ <England.Jj@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: NIC - brief due WED.

I'd say it looks like the edit-palooza on the opposition brief is winding down. It's down to just a few major comments left.

I'd like to "finish" it tomorrow, so we can send the "near final" for management approvals. If we are looking at any major changes from management, I'd rather not find out next Monday.

Of course next week will be minor edits, cite checks, proof reads, exhibit assembly, and e-filing.

So – I intend to spend a few hours tomorrow making it "final" enough to send upstairs.

Steven O'Rourke
Environmental Enforcement Section
U.S. Department of Justice
Mail: P.O. Box 7611 Washington, D.C. 20044-7611
Overnight: ENRD Mail Room, 150 M Street, N.E. Washington D.C. 20002
Telephone: (202) 514-2779
E-mail: steve.o'rourke@usdoj.gov

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 11/3/2021 1:27:45 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy CD provision re record retention

Ex. 5 AC / Ex. 7(A)

https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/schedules/final/1044.aspx

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Wednesday, November 3, 2021 9:16 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: New Indy CD provision re record retention

Good morning,

Ex. 5 AC / Ex. 7(A)

Let me know when you get a chance.

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 11/4/2021 11:08:35 AM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Jason Dressler [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy Consent Decree

Good morning Marirose,

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Foley, Patrick <Foley.Patrick@epa.gov>
Sent: Wednesday, November 3, 2021 5:45 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy Consent Decree

Hey Todd,

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

Obviously it will need to be tailored to New Indy sampling frequency etc.

Pat

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, November 3, 2021 4:33 PM
To: Foley, Patrick <Foley.Patrick@epa.gov>
Subject: New Indy Consent Decree

Hi Pat,

We're working on CD requirements and would like to include language that requires New Indy to post their fence line monitoring results online so the public can easily access it. Do you know of a CD that requires something like this so I can see the language and criteria for posting online?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 10/18/2021 12:58:05 PM
To: Jason Dressler [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: Draft of NOPVOC for New Indy QAPP Deficiencies
Attachments: New Indy Containerboard Draft NOPVOC kit_mjp 10-6-21 vn 10 15 2021 kit.docx

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, October 18, 2021 8:57 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Guillot, Richard <Guillot.Richard@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi Richard,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 6, 2021 4:28 PM
To: Guillot, Richard <Guillot.Richard@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Thank you Richard!

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Guillot, Richard <Guillot.Richard@epa.gov>
Sent: Wednesday, October 6, 2021 4:01 PM
To: Zachary, Adam <zachary.adam@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd:

I have made a change to the footnote, please review.

Thanks
Richard

Richard Guillot
Environmental Engineer

U.S. EPA, Region 4
Laboratory Services & Applied Science Division
980 College Station Road
Athens, Georgia 30605

P: (706) 355-8737
F: (706) 355-8744
guillot.richard@epa.gov

From: Zachary, Adam <zachary.adam@epa.gov>
Sent: Wednesday, October 06, 2021 2:56 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Good afternoon,

I hope all is well, and thanks for sharing the document. Attached, please find a response to the commentary for the NOPVOC document. If there are any questions, please inform me.

Best Regards,
Adam

Adam M. Zachary, Ph.D. ¦ Physical Scientist ¦
Laboratory Services and Applied Science Division ¦ Quality and Support Branch ¦ Quality Assurance Section ¦
U.S. Environmental Protection Agency ¦ 980 College Station Road ¦ Athens, GA 30605-2720 ¦
Voice: 706-355-8657 ¦ Email: zachary.adam@epa.gov

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Wednesday, October 06, 2021 1:52 PM
To: Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

ENFORCEMENT CONFIDENTIAL

Can someone answer Marirose's questions in the attached NOPVOC?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Wellborn, Floyd <Wellborn.Floyd@epa.gov>
Sent: Tuesday, October 5, 2021 10:21 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Aker, Sandra <Aker.Sandra@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>; Ackerman, Laura <Ackerman.Laura@epa.gov>; Carter, Bobbi <Carter.Bobbi@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Todd,

Ex. 5 DP / Ex. 7(A)

Hope this helps,
Floyd

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, October 05, 2021 6:49 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza <Montalvo.Liza@epa.gov>; Zachary, Adam <zachary.adam@epa.gov>; Pruitt, Landon <Pruitt.Landon@epa.gov>; Guillot, Richard <Guillot.Richard@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: Draft of NOPVOC for New Indy QAPP Deficiencies

Hi All,

Can you check the footnote in the attached NOPVOC for accuracy and also please let me know if you have any other comments? The document has started routing for Carol's signature.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Friday, October 1, 2021 11:24 AM
To: Aker, Sandra <Aker.Sandra@epa.gov>; Wellborn, Floyd <Wellborn.Floyd@epa.gov>; Montalvo, Liza

<Montalvo.Liza@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: Draft of NOPVOC for New Indy QAPP Evaluation

ENFORCEMENT CONFIDENTIAL

Hi Sandra,

Attached is a draft notice of potential violation for the New Indy QAPP deficiencies. It includes the deficiencies from the onsite evaluation and the QAPP audit.

Please review and please let me know if you have any comments.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Taylor, Kevin <Taylor.Kevin@epa.gov>
Sent: Friday, October 1, 2021 11:17 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: 2nd Draft of NOPVOC for New Indy

This is the second draft of the NOPVOC. Please let me know if you have any comments, corrections or additions.

Thanks.

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 11/18/2021 8:16:06 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin

<Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Thanks,

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 11/19/2021 12:24:19 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
CC: Kler, Denis [Kler.Denis@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 4:43 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Kler, Denis <Kler.Denis@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: Re: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Marirose

Sent from my iPhone

On Nov 18, 2021, at 3:16 PM, Russo, Todd <Russo.Todd@epa.gov> wrote:

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division

U.S. EPA Region 4
Tel: (404) 562-9194

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From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center

61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

Ex. 7(A)

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/7/2021 10:19:57 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
CC: Jason Dressler [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: draft SJM for New Indy
Attachments: 12-1-21_New Indy CAA 303_Draft_Settlement Approval Memo.docx

ENFORCEMENT CONFIDENTIAL

Hi Carol - in anticipation of reaching a settlement with New Indy, the settlement justification memo has been prepared. I am sending it to you now so you have more time for review. ORC has a discussion scheduled with the New Indy attorneys tomorrow morning about the final items for the CD and if agreement is reached, then the civil penalty of Ex. 7(A) will be proposed. I'm hoping we can reach agreement on everything this week and begin routing the CD package next week.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 7, 2021 4:47 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: draft SJM for New Indy

Hi Todd,

Here is the current draft for Carol's advanced review if she has time.

Do you know if we need to prepare a briefing sheet for the RA to go along with the SJM?

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.

Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/13/2021 1:13:48 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 8:11 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Good morning. I hope you had a nice weekend too.

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

t but
If I have not heard from Jim Cobery by

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 7:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Hi Marirose - I hope you had a good weekend. Have we reached an agreement in principle for Appendix A and the stips?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 6:13 PM
To: Steve O'Rourke <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Johanna Valenzuela <Johanna.Valenzuela@usdoj.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Have a great weekend.

Marirose

Sent from my iPhone

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/13/2021 1:22:14 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 8:18 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 8:14 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 8:11 AM
To: Russo, Todd <Russo.Todd@epa.gov>
Subject: RE: New Indy

Good morning. I hope you had a nice weekend too.

Ex. 5 AC / Ex. 7(A)

but

Ex. 5 AC / Ex. 7(A)

f I have not heard from Jim Cobery by 9:00am this morning, I plan to give him a call.

Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4 Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
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pratt.marirose@epa.gov

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-----Original Message-----
From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 7:04 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New Indy

Hi Marirose - I hope you had a good weekend. Have we reached an agreement in principle for Appendix A and the stips?

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division U.S. EPA Region 4
Tel: (404) 562-9194

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-----Original Message-----
From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Friday, December 10, 2021 6:13 PM
To: Steve O'Rourke <Steve.O'Rourke@usdoj.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Johanna Valenzuela <Johanna.Valenzuela@usdoj.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: New Indy

Ex. 5 AC / Ex. 7(A)

Have a great weekend.

Marirose

Sent from my iPhone

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/13/2021 9:08:18 PM
To: Kemker, Carol [Kemker.Carol@epa.gov]; Lamberth, Larry [Lamberth.Larry@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New-Indy - Consent Decree

Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Monday, December 13, 2021 4:06 PM
To: O'Rourke, Steve (ENRD) <Steve.O'Rourke@usdoj.gov>; Nowell, Valerie <Nowell.Valerie@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Caballero, Kathryn <Caballero.Kathryn@epa.gov>; Valenzuela, Johanna (USASC) <Johanna.Valenzuela@usdoj.gov>
Subject: FW: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

I just skimmed the proposed additional paragraph but am going back and reading it again now.

Any immediate concerns about the proposed language? Let me know.

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Stephanie Blackman <sblackman@SchwarzPartners.com>
Sent: Monday, December 13, 2021 4:00 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Cobery, Jim <JimC@TheKraftGroup.com>; Weber, Steven D. <steveweber@parkerpoe.com>; Stephanie Blackman <sblackman@schwarzpartners.com>
Subject: New-Indy - Consent Decree

Marirose,

Ex. 7(A)

Regards,
Stephanie and Jim

Stephanie A.H. Blackman
VICE PRESIDENT & GENERAL COUNSEL

10 WEST CARMEL DRIVE, SUITE 300
CARMEL, INDIANA 46032

317.290.1140 (office) | 317.292.0520 (cell)
sblackman@schwarzpartners.com
www.schwarzpartners.com

schwarz
partners

VISIT US AT OUR NEW LOCATION

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CARMEL, IN 46032

Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/13/2021 9:10:58 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]
CC: Jason Dressler [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New-Indy - Consent Decree

Hi Tim,

Ex. 5 DP / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/13/2021 9:59:20 PM
To: Frederick, Tim [Frederick.Tim@epa.gov]
CC: Dressler, Jason [Dressler.Jason@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New-Indy - Consent Decree

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Frederick, Tim <Frederick.Tim@epa.gov>
Sent: Monday, December 13, 2021 4:44 PM
To: Russo, Todd <Russo.Todd@epa.gov>
Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: RE: New-Indy - Consent Decree

It seems reasonably accurate. I don't have any problems with that.

From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Monday, December 13, 2021 4:11 PM
To: Frederick, Tim <Frederick.Tim@epa.gov>

Cc: Dressler, Jason <Dressler.Jason@epa.gov>; Pratt, Marirose <Pratt.Marirose@epa.gov>
Subject: FW: New-Indy - Consent Decree

Hi Tim,

New Indy is proposing the following paragraph for incorporation into a Consent Decree. Do you have any concerns with it?

Thanks,
Todd

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/14/2021 1:01:57 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: RE: New Indy briefing sheet and press release
Attachments: New Indy draft briefing sheet 2021 Dec 14.docx

Thanks Marirose! I've made a couple of minor edits and have a couple of questions. First, I added some language that Carol asked for about EJ under #1. Please review and edit as needed. Carol

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 6:33 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy briefing sheet and press release

Good morning,

Ex. 5 AC / Ex. 7(A)

If you haven't already, can you send the briefing sheet up to Brandi's office so that they can start drafting a press release and coordinating with the press contacts in OECA?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4

Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Message

From: Russo, Todd [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7431271DED174CFAB2FE664406154CDB-RUSSO, TODD]
Sent: 12/14/2021 1:20:23 PM
To: Denis Kler [Kler.Denis@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
CC: Pratt, Marirose [Pratt.Marirose@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]
BCC: Russo, Todd [Russo.Todd@epa.gov]
Subject: FW: New Indy briefing sheet and press release
Attachments: New Indy draft briefing sheet 2021 Dec 14.docx

I meant to copy you.

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Russo, Todd <Russo.Todd@epa.gov>
Sent: Tuesday, December 14, 2021 8:02 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: RE: New Indy briefing sheet and press release

Thanks Marirose! I've made a couple of minor edits and have a couple of questions. First, I added some language that Carol asked for about EJ under #1. Please review and edit as needed. Carol

Ex. 5 AC / Ex. 7(A)

Regards,

Todd Russo
Chief, Air Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
Tel: (404) 562-9194

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Tuesday, December 14, 2021 6:33 AM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>
Subject: New Indy briefing sheet and press release

Good morning,

Please find attached a revised briefing sheet from the one I shared yesterday. This one says there is "no potential EJ" concerns and inserts the civil penalty.

If you haven't already, can you send the briefing sheet up to Brandi's office so that they can start drafting a press release and coordinating with the press contacts in OECA?

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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Appointment

From: Pratt, Marirose [Pratt.Marirose@epa.gov]
Sent: 11/30/2021 4:21:02 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Frederick, Tim [Frederick.Tim@epa.gov]
CC: Nowell, Valerie [Nowell.Valerie@epa.gov]

Subject: New Indy - discussion of chronic exposure limit
Attachments: New Indy's_Draft Appendix A - Work to be Performed New-Indy Comments REDLINE.docx
Location: Microsoft Teams Meeting

Start: 12/1/2021 3:30:00 PM
End: 12/1/2021 4:00:00 PM
Show Time As: Busy

Required Attendees: Russo, Todd; Frederick, Tim
Optional Attendees: Nowell, Valerie

Hi Todd and Tim,

Ex. 5 AC / Ex. 7(A)

Valerie, I know this is the same time as our branch meeting but it looks to be the only time both Todd and Tim are available tomorrow or Thursday.

Microsoft Teams meeting

[1] The 70 ppb standard is supposed to measure "chronic" exposure. The average is unduly influenced by high readings and thus does not address chronic. By requiring 5 days in a 7 day period, this is more likely to reflect a chronic issue.

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
+1 470-705-2279,,454270243# United States, Atlanta
Phone Conference ID: 454 270 243#
Find a local number | Reset PIN

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Learn More | Meeting options

Message

From: Taylor, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9483DA991924F4D9BC80D5624B14799-TAYLOR, KEVIN]
Sent: 11/1/2021 6:03:55 PM
To: Pratt, Marirose [Pratt.Marirose@epa.gov]; Todd Russo [Russo.Todd@epa.gov]; Jason Dressler [Dressler.Jason@epa.gov]
CC: Denis Kler [Kler.Denis@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
Subject: Adding Brendan Held to the New Indy Meeting

Ex. 5 AC / Ex. 7(A)

to add to the conversation when required and to provide a post meeting discussion to help us understanding what is proposed. His only limitation is that he has another obligation at 9:30 am.

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

Message

From: Taylor, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9483DA991924F4D9BC80D5624B14799-TAYLOR, KEVIN]
Sent: 12/3/2021 2:28:56 PM
To: Kler, Denis [Kler.Denis@epa.gov]; Pratt, Marirose [Pratt.Marirose@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Dressler, Jason [Dressler.Jason@epa.gov]; Mills, Andrew [mills.andrew@epa.gov]
BCC: Kevin Taylor [Taylor.Kevin@epa.gov]
Subject: RE: New Indy - NALCO fog

Denis,

Ex. 5 AC / Ex. 7(A)

Sincerely,

Kevin J. Taylor

Environmental Engineer|Air Enforcement Branch (AEB)
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency | Region 4
61 Forsyth Street, S.W.|Atlanta, GA 30303
(404) 562-9134|taylor.kevin@epa.gov

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Thursday, November 18, 2021 3:12 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>
Subject: RE: New Indy - NALCO fog

Ex. 5 AC / Ex. 7(A)

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Sent: Thursday, November 18, 2021 3:09 PM
To: Russo, Todd <Russo.Todd@epa.gov>; Dressler, Jason <Dressler.Jason@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Mills, Andrew <mills.andrew@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>
Subject: New Indy - NALCO fog

Hi All,

Ex. 5 AC / Ex. 7(A)

Thanks!
Marirose

Marirose J. Pratt
Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Thursday, November 18, 2021 2:48 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

From: Cobery, Jim <JimC@TheKraftGroup.com>
Date: Thursday, November 18, 2021 at 12:16 PM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Re: Monitor Station #3 and Catawba Express

Here are Pete's answers to these questions. Please let us know if you require any more information.

Jim

Ex. 7(A)

2.

Ex. 7(A)

3.

From: Pratt, Marirose <Pratt.Marirose@epa.gov>
Date: Thursday, November 18, 2021 at 6:31 AM
To: Cobery, Jim <JimC@TheKraftGroup.com>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: RE: Monitor Station #3 and Catawba Express

Good morning Jim and Steve,

Ex. 7(A)

Please let me know if you have any questions.

Ex. 7(A)

Thanks,
Marirose

Marirose J. Pratt

Senior Air Enforcement Attorney
Air & EPCRA Law Office
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
Phone: 404-562-9023
Fax: 404-562- 9486
pratt.marirose@epa.gov

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From: Cobery, Jim <JimC@TheKraftGroup.com>
Sent: Wednesday, November 17, 2021 8:49 AM
To: Pratt, Marirose <Pratt.Marirose@epa.gov>
Cc: Steven D. Weber <steveweber@parkerpoe.com>
Subject: Monitor Station #3 and Catawba Express

Ex. 7(A)

Thanks,

Jim

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