LAURA
614-447-2431

4. meet w/ Pete Jopke
- copied files for Nemadji
- not allowed to copy Solid Waste file (atty-privileged); glanced over file; enforcement related but involves NRDA discussion); Pete nervous about me seeing file; also had letter from private firm about NRDA
5. read econ. book + Nemadji files

21 DEC 92 VACATION WEEK 4/006

28 DEC 92 VACATION WEEK 4/007

- call Frank + Ken morning of ~~[illegible]~~ 24 DEC 92
- Seattle trip off; strategies; work on 04-07 JAN at home

04 JAN 93 WEEK 4/008

1. ~~[illegible]~~ Seattle read

05 JAN 92 (in Marysville)
1. computer work
2. call Ken: budget problems
- Director's briefing final
- Gene Sutton sent memo to RD: formal process not required; could send letters to EPA + PRPs (informal); Shelly + Gene on case
3. read case law
4. Frank
- RQ case law: ① write memo
- Gene Sutton letter (KAX): ① write letter R3 → R5 (FWS, EPA) ② pressures [illegible] ③ memo ④ PRP letters

call [illegible] about [illegible] cards

SPECIAL [illegible]

1. [illegible]
2. [illegible]
3. $

- Solicitors will hire atty; Frank talked to Tom Eggert
- Nemadji River: case law on FED/STATE trusteeship; info in atty prin file
- NRDA primer from DEC; Frank will send
- stamp has misprint
- ELFO didn't inform MDNR of cancelled meeting: some went; some stopped in Chicago
- Barry W. Drazkowski, EMTC-LaCrosse, 608-781-6313 has CD-ROM

06 JAN 92
1. read Sutton letter; notes for memo
2. read cases on RQ; notes for memo
3. read NRDA law + Econ.

4/009

11 JAN 92
1. clear mail 2. (Meet w/ Ken + Laura)
- B-TAG conf. call + LaCrosse Gap analysis
- Jim Kerry (WI AG) on radio: $200
- Budget problems: no NRDA activity w/o $
- drive car to Madison, then La Cross (Gap analysis)
- ELFO snafu w/ MDNR + Seattle
- WDNR response: negative (L. Greene)
- FS letter (L. Greene)
3. staff meeting
- Gap analysis meeting T, W, R
- Jackie needs estimate of FY93 travel + training budget
- [illegible] to Ron
4. call Tom Dawson about Nemadji files @ WDNR
5. call Barry Drazkowski about CD-ROM: left message; said
6. [illegible] keep taking TUE/THUR in Madison; try to get boat safety course

2. Pat (EMDC?) FAX'd info. on Dayton

8. Ray Palber: sent letter
- talked to Dave Letton detailed [illegible]
- Brad Bragg interested in early passages + notes; will form basis for statistics / coastal plane
- EPA not committed to taking action via letter (may or may not)
- he will contact Mark Mathews & maybe Matt K.
- also, Brad wants to be kept into 76-vacancy co.
- delayed sending fig 12 weeks

9. Bob Swick (NASA)
- will send letter requesting copy of Nevada report (when finalized)
- also will contact Todd O'Hara

12 JAN 92

1. Ray: will FAX BTAC info. to LaCrosse
2. finalize memo (copies) on FS letter + attachments
3. drive to LaCrosse
4. copy Coastal files from CD-ROM
5. Gap analysis workshop
- Frank D'Erchia: intro
- Barry Draytowski: intro
- Blair Cantil: explanation of Gap Analysis
- Barry Draytowski: discussion: resolution used in West not fine enough for upper midwest

13 JAN 92

1. left message w/ Ellen Kelsch about BTAC call
2. Gap Analysis meeting
- Lee Graham: vegetation mapping; EOSAT TM (B,G,R,IR) (7 band, digital) $4400 per 31/450 sq km + $400-$1100 for precision digital (must be in a certain way) (use a vendor) (go through State - buy umbrella); 50MB per band per scene; R, Reflected IR, Thermal IR used in AZ - usually anyone will use more than 5 bands (250MB per scene); need at least 4-8 GB of storage for project; labor intensive to clean polygons + ground truth + compile, etc.; EOSAT TM digital is 25-30 m resolution - but must have much ancillary data to do veg. mapping; experiment w/ filters + manipulations (Etual person) + merging of spectral classifications (several cobra veg. correspond to 1 veg. type); must decide which veg. type classification system
3. Call Janet Smith about BTAC; also L. Shaw (no new), maybe have John P., Larry K., EPA contact them for quick action; used airborne video w/ real time GPS for ground truthing; special box from Delta to connect computer, video, GPS, camera, monitor; can use 2 cameras for stereo mode
4. request BTAC Kolbe doesn't (overnight mail from PSTO)
5. cont. - group discussion (policy / planning)
- work (Tim Weiss) starting State-wide GIS w/ TM @ 1:24000 (pilot not yet)
- EPA has 4 counties around Green Bay (data) (what part not?)

5. BTAC conf. call
- didn't find PCBs in groundwater w/ site; just in sediment; haven't had PCBs in seeping groundwater
- most chemicals in groundwater not problem in rivers or tissues; PCBs not yet detected in seeping groundwater
2. cont: Ellen Kelsch (MN DNR): Hollister Groveling

1. TKR
2. KEEL
ANIMALS
ARROW 1+2
Common Buckeye
GEORGIA
BREAK
MUSCADINE
PLANT
TRACKS

14 JAN 93

1. ~~call~~ call Ken
- Pete wants to talk about Ramaji (TCE)
- Bubble withdrew
- BTMF
- general comm.
2. PH analysis workup
- Cynti: PH analysis (of data)
3. copy files from CD-ROM
4. dune to Hazen Boy
5. load at mail

19 JAN 93 (called Ken monight)

WEEK 4/010

1. Ken: TJ upset about Ramaji samples not sent from Keith Lab; TJ wants data from Ukiah (Coast) data & results coordinated w/ Colin Caldwell; meet tomorrow @ Ref
Roof dogs to go to UW-M to meet w/ Cavazos & Debo
(Ken will call on arrival (~ 9:00–9:30am)
2. call Bill Brownlow about grade: left message (also left on on Friday); said I will stop by ~1:00 pm
3. call WONR: signed up for hosting safety course on March 9, 16, 23. 6–10 pm; $15; will send receipt + info.
- call Ken w/ info. (left message)
4. go over notes to confirm dates that missed AP-ECON 375:
(Both) 15OCT92; (Chris) 05NOV92; 24NOV92; (Both) 03DEC92; didn't take tests; did papers + 3/4 homework (all pages)
5. called Frank for updates: will call back @ 3:00pm
- hasn't read memo on FS letter yet
6. meet w/ Pete Joyce
- got unofficial comments from surveys in WONR on L. Berry Pleasants, &c. (Indeed - no critically important comments)

7. read NROA: Law + Econ.
8. met w/ Bill Brownlow: didn't know he had to send in grade; will send in an "S."
9. Ken:
- PRIs for L. Brown want to settle
- coordinate w/ Cindy & Frank tomorrow morning

also, call Frank re Debo

20 JAN 93

1. call Cindy Kefauver (284-5237): left message
2. call Rhonda Horvath
3. Cindy: JMP V.P. wants to settle quickly (had talked to Doug); has been forwarding to Matt Richmond
- Cindy agrees that we should not count on cooperation - should move forward w/ NROA & give PRIs a delay before that; she will talk to Larry about getting w/ John B. in Raleigh to convince him to sign previous letter
4. call Rhonda Horvath
- long conversation w/ Frank about L. Brown
- documents stalled in review @ FS
FS dead opposed to signature
- need meeting w/ John B.; FS, Frank, Cindy, me ASAP
- need letter to EPA
- need memo on pesticides needs
- Frank will send documents for surname
5. Talk w/ Ken & Sara about L. Brown
- Ken will call John B. to get signature & meeting (next week)
6. Meet w/ Ken, Sara, Lou Debo, Bill Kavazos
- Ken: want to know if any episodes can easily get new data could be used to start out class about combined RCS effects in composite

-Ken: is crossbill from cape ~~[illegible]~~ source (PCB) as enlyo mortality (crossbill just because as mortality)

-Ken: proposed egg injection: 3 congeners in chelonia the corrosta

-Lou: mikes are male cross bills: either ① mikes are females; ② mikes are killed; ③ mikes exhibit mortality and cross-bill effects

① if mikes females: should be more ♀ in clutches / should be biological structure

② if mikes dying: ?; could check reliability of all eggs mikes 1st respond + collect all dead (look for dead ♂'s); could also collect all eggs left; could look ser rates in mikes letters of crossbill from last year

③ if mikes not affected: non-affected siblings of cross bills would tend to be mikes more often

-Bill: could compare reliability of mikes w/ crossbill vs. mikes w/o crossbill

7. discussion of Eagle study w/ Cheryl

- FDC wants to use dogbane as ~~a~~ tiered species because of assumption that ~~bi~~ spread eagle productivity due to contrast; thing study looking at possible ecological (non-contaminant) effects; PCB + DDE may be considered; MSR data extracted; want to do some double blind tests on pilot scrum

8. last 2 weeks of April; 1st week of May: talk on policy implementation for Env. Voc, seminar: CWA + CERCLA + how decisions are made, w/ incomplete data; functional separation of responsibilities in Enf.; consequences of enforcement efforts (when does an agency take action); pilot research will be needed in next 3 years (reliance on this)

9. Cindy Schroder: Roy Calhoun will set up meeting w/ FRL; Cindy prepare Fed R.; Cindy can't make it to Twin Cities next week (4pm MO)

4555

21 JAN 92

1. reg: relay in Madison (call Ken)
2. read NRDA: Law + Econ.
3. Ken: Frank wants processor for summer; Ken will ask if should call John B. about signatures + meeting; Ken will relay info from Cindy (alive); Frank will probably call
4. Ken: Kay Hansen 456-2618 (Bond 1); MSB letter or Randy; L. Iowa papers (in mail box); Frank wants down summary on preassessment action, the strategy session, the FRP letter;
5. Ken: timesheet info;
6. Frank Horvath:

- Frank talked to John B. who had talked to Laughlin + Redak; wanted preassessment docs for signature (in Dana box)
- Frank putting up meeting w/ FS; Frank, me next week; Ken told that FS should start about language if queried, that should think about negotiations vs. find docs.; that John B. should be prepared to make decision if RP + FO can't find consensus
- will call back in ½ hour, FLF

~~TO~~ JAN 25 @ 2:00

22 JAN 92

1. travel voucher for La Crosse to Dane
2. $15 receipt for bowling class to Jackie
3. update calendar
4. Read Dave file

5. T - Doelger: build cycles on Realtyco?; Ron Lipey says yes
6. Frank Horvath
7. - Jan contact person for Lake Shore
- call Cindy, Jean, Frank about available dates + that Jan contact contact
- call Ray to find EPA contact to help + to set dates
- negotiating team is Frank, Cindy, Jean, and A: only I will speak at PRP table (probably Frank or me)
7. Jean Letter
- week of 8th letter than 1st - confirm
- told her I would be contact contact for FWS + gave number
8. Cindy Schroeder: left message
9. Call Ray Palmer: left message
10. Call Frank: open week of 8th (11th worst)
11. work on EPA letter; finished, FAX + E-MAIL to Frank
- he will attempt for signature today
- John B. agrees w/ Jean + that I should lead @ table
12. charge forte fold Wireless
13. update L-Shore files

25 JAN 93

WEEK 4/011

1. computer files
2. filing
3. copies of L. Jon, messages, + draft EPA letter to Ray + Jean
4. meet w/ Ko-Tsan
5. Cindy Schroeder: can't make meeting w/ FS - I will follow up 9:30 + 3:30 out - call between; after Cindy and talk, will talk to Matt Richard; he doesn't seem to want to be at negotiations unless problems
6. update to Janet
7. staff meeting
8. Ray Palmer
- setting up for meeting week of Feb 8th
- strategies in sync
- will coordinate through me
- John Walsh of D.C. law firm for JMB; they have info on missing PRP
9. Frank Horvath
- letter to EPA for signature today; has revised w/ slight softer language ready
- must tell solicitor about P. Reese + letters tomorrow
- will pick me up at airport for breakfast tomorrow
10. Airline reservations: NW flight 781 @ 7:10 → 8:15 am (PRY)
11. installed new motherboard; reinstalled windows + updated system
12. summarized EPA letter (+ faxed) for Frank
13. remove fonts from Windows: keep: AVALON, BROOKLYN,

26 JAN 93

At Minneapolis

1. Meet w/ Frank Horvath about L. Shore: ① Jan "communicator" coordinator ② Goal: restoration ③ Follow Ray ④ Process input + $ w/ MPCA ⑤ meet w/ EPA Regional ⑥ Estimate discussion on negotiation (accelerated plan)
2. Meet w/ Jean Sutton
- Even if not sign, be prepared for DOT or EPA or FS to ask if can sign settlement for "x" dollars, sign if pre-set cost basis + activities to be complete
- tell Jean to expect continued use by FWS, of type

- impasse on whether we should try for settlement before assessment phase complete (Jean) or not (me)
- Jean says DOI policy not only after mediation
(I asked for confirmation)
- I told Jean I would send case law which says that FEDs can assess damages if ~~they~~ don't
- Jean says that preassessment screen for Grove is inadequate because does not include the rough amount of damages at site; but also said that she has not yet had the preassessment screen
3. called Ken + Jean (w/ Mark) (before meeting w/ Mike)
- must be cautious about keeping Janet in loop - she may not allow all messages to reach me & acknowledge that Ken "controls"
- agreed w/ Mark + my discussion
- would like to go w/ ~~to~~ to EPA, just not enticed
4. John B. (before conf w/ Ken + Jean)
- Ken "communication coordinator" (decision)
- Going for arbitration (decision)
- following regs (decision)
- keep Janet informed; but Janet does not have to be involved re details
5. Flight check Ken RO (give signed itinerary w/ numbers)
6. study 40 CFR 11 - assessment phase (or phase I - Minneapolis)

27 JAN 93

1. call office about L. Love message: keep in place, Bill call in for; talked to Jean; will talk to Janet
2. call Ray Pallesen ~~323-2041 (work)~~ 312-886-0565 (ORS) : left message

3. Cindy Schroeder : left message 608-264-5237
4. Matt Richmond : left message 414-297-1700
5. meet w/ Mike Meyer & Ken. D.
- Mike wants to look @ Green Bay eagle nest (FFY94 field); he has data about DOI NROD & that may be available
- Ken wants to use the 86-87 in the comment accounts for RA/RC: Texas A&M graduation talk (FWS contract), Columbia, ERL-Duluth, Texas: use eagle eggs from WI nests (Mike has eggs frozen)
- GBRB can do pilot work in Green Bay this field season (Bean eagle nests); start in March or before
6. meet w/ Lou + Ken + ?
- Constant work: possible bad influence + sex determ.; definitely NOV work

28 JAN 93

Ray Pallesen
- Ken + Matthews atty for Playboy
- call from Jean Hatten: strange conversation; FS may solicit ("bad blogging"); Ray looking for info. at 1st meeting at negotiation; have regional meeting
- meet w/ Ray & Brad 8th or 10th-12th of FEB
- meet w/ PRPs (or just JMB) same week or next
- Ray will look into joint counsel source letters, DOI + EPA + PRPs
- Ray not very happy (apparently) w/ FS
- FAX scan (forgot to do)
2. call John Bladecki: letter signed; will FAX to EPA + mail
- John heard from LE that FS bat ~~probably~~ probably w/ EPA ORC also
3. call Cindy Schroeder: left message
- available 8th + 10th for EPA meeting; update; call Matt R.; LE by 1st week of March

4. call Matt Richmond: matt not pleased w/ FS (already heard); will help keep FS in check, if necessary
- general brief
5. Reg Pallesen
- will meet in Chicago Feb. 8
- will look at Preassess. before release

01 FEB 92: sick

WEEK 4/02

02 FEB 92
1. computer setup (all day)
2. Reg Pallesen
- sent preassessment screen to JMB & Playboy
- meeting WED rather than MO w/us
- may be difficult to convince EPA to refer this case - just admin
- I said no DOI covenant not to sue w/o consent decree
3. call R3
- Frank's flight: WED 9-10:06 am (UA 610)
4. call Cindy Schroeder: she will pick me up @ 6:30 am WED
5. document computer problems & give up (copy to Jackie)
① Windows won't run
② Coreldraw won't install
③ WP won't print
6. time sheet to Jean (sick leave to Janet)
7. travel voucher for Minneapolis to Jackie
8. vacation leave to Janet (for March 8)
9. course training forms to Janet; Receipts to Jackie

6758

03 FEB 93.
1. call Colleen Caldwell: left message 886-
2. call Linda Holst: not there; call Howard Jar: not there
↳ left message
3. Colleen Caldwell
- 2 of 3 sets of data back; 3RD w/i 2 weeks; 2 more weeks to T.J.
- should sample a year after for tumors & anemia
- any link injury ↔ chemical is enough to move forward
- hypoxia pretty definite
4. Linda Holst
- 10th bad. 11th morning probably ok; will talk to Howard tomorrow & get back to me: yes ~9:30 am Th
5. work on computer w/ Jackie
- printer card may not work
- will get help w/ whole machine
6. organize files
7. call Pete Lopka: meet tomorrow 8:30-9:00 am
- wanted to know about Nemadji
- L. Kerena hot (from outside sources)
8. call Mary Balcon: left message (for Tom Uhel's #)
9. Mike Simonson (WI Public Radio)
- 715-394-8530; will call in March Deb Post
- wanted to know about Nemadji [illegible]
10. call Tim Thornton (Briggs & Morgan for BN) about 612 291 1215
"Evaluation of NR Injury as a Result of the Nemadji R. Dredging"
- call Deb Post @ 612-291-1215
- ship today
11. Craig Hill (WDNR); project position available (not permanent)

04 FEB 93

1. meet w/ Pete Jopke
- gave L. Genera letter & screen
- waiting on Nemadji info
- Pete says he wishes he could tell me everything about Nemadji
2. Pat T. (?): Fruchal wetlands expert for WDNR Water Resources: wants to be involved (unofficially) w/ L. Genera - had not been aware of WDNR decision not to participate (neither had Steve Mace (Milwaukee))
3. left message for Cindy Schroeder that I was staying over in Chicago
4. read 43 CFR 11 - assessment phase (notes separate)
5. left message for Frank Horvath about meeting w/ Jan & Holst - he will go to EPA w/ others in morning
6. read 43 CFR-20 & 24 (DOI ethics; State/Fed coord.)

05 FEB 93

1. Frank Horvath
- long conversation about Nemadji R.: should go forward w/ NRDA if any injury can be documented; told Frank about WI Public Radio & NTSB wanting report & WDNR & GLIFWC waiting as well; will cause problems w/ WDNR if we have data to warrant NRDA - but will forge ahead
- long conversation about L. Genera: Frank will be lead at negotiations (mutually agreed) & will call on rest of us to do most of speaking (me-process; Ken-injury; Cindy-history; Matt/Reg-legal, etc.); must get explicit authority from John & get buy-in from all in attendance; I will FAX process on MO

- general conversation
2. T.J. Miller
- net course in Superior for 3 weeks in June - will send out info
- touched bases on Nemadji
3. Backup computer; set up programs w/o windows
4. Jackie fixed printer

08 FEB 93 WEEK 4/013

1. configure PC tools
- DATAMON /LIGHT+ /TRACKER+ /SCREEN
- MIRROR C:
- PCSHELL /RT/OD
- DESK MAP — CALENDER
2. staff meeting
- Janet: report on FS meeting
3. meet w/ Ken & Tara
4. call about Env. Law Reporter; note to Jackie on needed NRDA references
5. Tom Eggert: has applied; any assistance we can lend
6. call Frank: I should call Marvin Shulstead about Tom Eggert
7. organize files & desk
8. call Tom Kerze about Schmaly file - will send
9. read "in box"
10. contact EPA, HQ, WQS for Nov. 19, 1992 "National Study of Chemical Residues in Fish": left message

09 FEB 93

1. read NRDA DOI guidance
   - notes for Lt. Genera assessment phase
2. memo for EPA meeting w/ agenda, etc.
3. talk to Ken about meeting

10 FEB 93

1. meet w/ Ken, Frank, Cindy
2. meet w/ Reg Pallesen, Brad Benning, Carol Grazer
- discussion about FS/FWS relationship
- connect Jean Sutton (FS)
- ~~[illegible]~~ Brad Benning: EPA response procedures (typical)
  ① AO w/ activities required - maybe some emergency; incl. restore
  ② the specific work plan
  ③ PRPs initiate work w/ EPA contractor oversight (reports issued)
  ④ if do not agree to do work: EPA documents reasons + costs; OSC oversees on-site; then EPA recovers through enforcement
  ⑤ can also enforce before restoration
  ⑥ can require further assessment before action
- Jean talked at length: consent decree vs. EPA AO + contractual agreement; other topics
- FWS assessment plan good lever to increase chances of EPA, AO (EPA can restore then sue; we must sue then restore, but processes can be melted)
- may want to look at PAHs
- EPA will do site-work on Pb-distribution; set criterion - usually h.l.-based (can EPA use pellet → geese level?) (can use background from control site)
- Reg Pallesen
  ① Sidley, Austin for Playboy: hostile
  ② ... Rosenthall (Ghelm) for JMB: cooperative; questioning causality (distance from site); have evidence + EPA not tied to geese; asked about further shooting
  ③ JMB asking if should shut down; can look @ alternatives (steel; shoot away from wetland)
- Cindy can summarize results of investigation; or redacted investigative report me/us

-Reg: PRPs will want to know ① impact ② due to site ③ [illegible] action re: ④ how much? (we can answer all but last will soon be able to answer it - site work)
- Brad negotiating team w/ Linda; present EPA - FWS authorities & let them be confused
- Lotti need to involve Matt, at least at 1st meeting - Reg will talk to Mark Mathews & Matt Richmond

11 FEB 93

1. meet w/ Reg + Brad
2. meet w/ Linda + Howard
- WONR wants $ from EPA for design of remediation (LLBOM)
- send proposal for NRDA to Jay
- Bryson wants Jay to work on Green Bay; can work something out
- EPA/FWS may be able to leverage WONR
- question of Lake outside problem (L. MI.)
- NPDES & before CERCLA releases: ask Kathy
- Jim Dilligan & Bill Tong (Compliance Issues)
- tell Mike Dix what specific legal, technical, & we can use

WEEK 4/014

16 FEB 93

1. clear mail; file
2. travel voucher for Chicago
3. Interbureau memo from last week
4. staff meeting
5. FAX to Brad w/ numbers
6. help Steve & Joel w/ ABA Conference
7. call Anthony Wayne about "Environmental Law Reporter": 8795/32; 1616 P Street, NW; Washington, D.C. 20036

8. FAX proposal (NRDA - Fox R.) to Linda Hoist (Proud)
- Linda said EPA & WONR had conf. call today - WONR paid or no agreement; EPA $ in question
- Paul could come to discuss proposal 4 MAR 93, if not
9. note from Ron that Brad said MO PCB-shot case NRDA developing (from Cindy Schrader); also info on "subtly before CERCLA" w/ case law coming
10. call Pete Popple about meeting w/ his PRP: left message
11. sign course reimbursement for Jean (to Joel)
12. Call Tom Dawson
- Menadji River (secret file?; possible conflict of interest)
- Fox River / Green Bay (EPA/FWS collaboration)
- Lake Huron (WONR staff, unaware of decision not to participate) (left message)
13. time sheet
14. call Reg Pallaver: left message - can't meet PRPs 05 MAR 93
15. call Cindy Schrader
- NRD 24 FEB 93 703-358-1949 (D.C.) if don't together
- 2ND MAR 93 probable date; 5th already out
- MO case looks similar (send press - PCB)
16. talk w/ Ron about PCB literature + Fox River needs for analysis
17. Menadji samples arrive

17 FEB 93

1. call Pete Popple: left message (called back 4 - already left FAX 9:00)
2. call Marian Lebeltaub about Tom Eggert: left message
3. organize phone directory
4. glance through PCB-shot papers + file

5. FL Panther Fund call for proposals: from Lydia; to Jon Forrest
6. Review & compile Nenadji River data - discussed
7. Roy Kelson: TVE late morning or early afternoon PRI meeting
- he will talk to Jean - see if she will skip 1st meeting
8. call Frank Horvath about Notice: left message; also left message w/ secretary to find out if super
9. Jean Sutton
- has written memo on need for cost-share in Wassass & need for dual track of ~~attack~~ litigation
- to Tim Lee about Tom Eggert: discussion of OCE workload & Tom's retention / apparent interest
10. 9th
- 15' talk for WI TWS on Rio. REMARKS (Tim Sherwood says Tom on standby; send title & background to Tim - P.O. Box 7921, 6EF2, Madison 53701)
- also give talk at Midwest SEARCH (about ~~tomorrow~~ ~200 words)
11. Tom Dawson; called back
- Tom meeting, George Meyer in Marsh
- Public Lands Commission w/ Dept of State - any treaty?
- send NRDA info. to Tom
- Tom & FWS may have to get message about staff intent (re WDNR). to George Meyer
12. call Colbert Caldwell about Nenadji fish samples: no answer
13. call Stan Smith about fish, mallard samples: didn't handle
Frank Horvath died
14. left message for Frank about Nenadji samples
15. call Karen Vanmiddlesworth about Nenadji R. data; met end of March

19 FEB 93
1. Frank Horvath
- only 1 Nenadji mallard - should be able to track down
- discussion of Nenadji case
- discussion of Jean Sutton's latest points
- March 2 PRP meeting for L. Brava
- NRDA presentations - don't mention specific cases - talk about national issue
- PRP letters followed up by secretaries: should go Rudy (all surnames on)
- Frank talked to [redacted] about RI WDNR
- discussion about WDNR involvement in NRDA; Tom Dawson to EPA, FWS/WDNR meeting
2. meet w/ Mike Meyer, Bob, Dan: go to eagle nest to on Little Sand Point, Oconto, Baldy's

19 FEB 93
1. Meet w/ Pete Jopke & Todd O'Hara - report w/ WDNR mapped for not long NRDA
- Nenadji samples
- Tom Jasicki - contacts on L. Brava (Tommy Dallas)
- Mississippi - Dylan & Dalen (601-884-7588) have water sediment samples (represent citizens)
- Pensacola (OPPE) NRDA Initial Risk Assessment
- Kim McCutcheon (Spill Response Coordinator WDNR) (LK FEN) (608-266-2857); discussed EPA involvement in removal; concern that EPA didn't coordinate w/ WDNR; discussed NRDA process
- Cindy Shank - might look for fish-tissue data in literature

- Pat Truchlell not there
3. call Frank Hornath

22 FEB 93 WEEK 4/015

1. clear mail
2. call Frank about (Frank called here) Solicitor's letter
- John B. already broke in on Sam & Larry Wood to discuss & Larry supported John; trying to get decision on lead at meeting
- Pete Eschenich says should have Solicitor present & sign settlement, but no requirement for her to lead
- will send memo Janet → John today
- also left message for Shelly Hall
3. sat in on conf. call for RAP-STAC. Ken made point that implication that FWS part of coalition for CERCLA purposes should be removed
4. memo Janet → John B. calling for confirmation of Service lead & 43 CFR 11 process
- revisions per Janet's notes
- signed, FAX'd, mailed
5. talk to Ken & Tara about Nemadji & L. Gen. occurrence relative to WDNR
6. call Reg Pallesen
- John Hahn: other PRPs (not sold) may not be worth going after; also may make deal w/ Bagley
- 5th floor >> W. Jackson 1:00pm March 2
- heads up on WDNR concern
7. call Tommy Dullin (atty for Nemadji - private)
- will consult w/ co-counsel & get back to me in day or two
- note to Ken Stromberg,

8. finish abstract for SETAC; copy to Tara; mail to Tim Grunewald

23 FEB 93
1. travel to Columbia, MO for HEP workshop

24 FEB 93 : HEP workshop
- Richard Stiehl (see handout)

25 FEB 93 : HEP workshop
- Richard Stiehl (see handout)
- call Ken: has talked to someone in Oregon (Rowche's grad. stud.) about Pb-shot data; can retrieve but not before PRP meeting; also Jean Lutton called - phone tag; have tape from Health Lab for PRP showing - will talk to Cindy; will also set up conf. call for MO (Frank, GBRO, Cindy)
- Dave Urig (WHAG) (see handouts); computer example

02 MAR 93 (sick 01 MAR 93) WEEK 4/016

1. meet w/ Cindy, Frank, Ken
2. meet w/ PRPs in Chicago [Reg. Pallesen, Carol Grayer, Brad Benning, Rod O. Gordon, Gary Hahn, Jack & Cheryl Gray, Hoagland
- Reg Pallesen - introduction
- Cindy Schroeder: investigation & presentation
- David Allen: NRDA
- Brad Benning: EPA
- questions/answers

- next meeting: April 2 in Chicago

SICK: 03-04 MAR 93, off comp 04 MAR 93, off vacation 08 MAR 93
(talk to Ken 08 MAR 93 morning)

09 MAR 93 WEEK 4/017

1. update calendar
2. read NRA law recon
3. call Engl for update: no news
   - NRA convnt 23-24 MAR
4. call Ken: not there (left message for steel shot)
   - Jackie checked for phone messages
   - Bob Tetrick wants copy of report
   - Frank: meeting 23-24 MAR
   - Pat Rogers (410 822 6825 home)
   - Debra: Dulin (1-800-225-9472)
     410 822 6825 home
     Dulin
5. call Pat Rogers: no answer: left message
6. call Debra from Dulin & Dulin: left message
7. call Cindy Schroeder: ~~left message~~ (not there until WED AM)
8. call WDNR about boat graphics course location: left message
   - Sturgeon parallel w/ University; to Eldale
   - Sturgeon (Mitrak) left 2 mile street; DOT
     turn or not right
9. LIST FOR TOMORROW
   ① Colby Caldwell & fish data
   ② John Moore & clinical data
   ③ Ron Windquist & duck surgery
   ④ Pete Popke, Pat Churchill, Ken McCutcheon, Brad Bruce & L. Grave take work
   ⑤ swallow bones
   ⑥ eagle observations
   ⑦ Frank Bellrose (notes)
   ⑧ Cindy Schroeder & MD info
   ⑨ Ken Gatchell traps

Family 414-437-
Pam 414-4
Betty 253-4813

10. call Pete: eagles WE; swallows TH

10 MAR 93

1. Scan mail / file / organize office
2. Leave slips (2)
3. travel vouchers (2)
4. training form (1)
5. organize Lee - read L. Grave file
6. call Frank Bellrose: ~~left message~~
   - Frank will send copy of his L. Grave file
   - Frank will stay involved w/ site meetings but not necessarily attended (after PRP start on 19 MAR)
   - don't think separate contract site will be necessary
   - Marathon Oil: PRPs FOIA FWS; = response to Notice of I.
   - R3 needs nominations for MAR 23-24 NRA seminar
7. told Gaylie & Janet about nominations (to expend $5000 limit)
8. Pete Popke: will call back @ 2:00
9. call Ken McEwen about possible meeting 18 or 19 MAR 93: left message
10. call Pat Churchill about possible: 22nd afternoon or possibly 18th
11. Bob Evans
   - will report that wolves have been found in Forks & WE, but ~~that~~ no carcasses have yet been located
   - I send MAR-APR for report
12. call Debra from Dulin & Dulin: can wait until End of April for news data

JEAN
ELPO

13. Pete Jopke: paper had report of WANR report (leaked from district)
- last Friday: Milwaukee Journal
- end of April probably fine
- not allowed to work on L. Shawa
14. ~~Peter~~ call to Mike Simonson (WI Pub. Radio: 715-394-8330)
- report; - can interview yet?; - is inquiry any big surprise?
- will call in couple of weeks
- said April like
15. call Pat Rogers: after 5:00 (Monica?) 202-682-4181
16. call Steve Mace: left message
17. call Brad Brown: left detailed message about meeting in March & sampling intended for Lake Shawa
18. call Mary Ellen Hillebrand (SEDO, WDNR - Water Regs & Zone): left message
19. call Cindy Schrank: told about meeting - she will be out March 20 - April 5
20. call Ron Weidenhof to confirm that mallard of necropsy case 10875 (014) is same as mallard lung sample catalog 30800/3, received in 3701-19: left detailed message
21. call Frank: left message; got there 11 MAR 93
- Ronalji data & report (April deadline) (FOTA; WI Rep. Rad.; WDNR; Shawa; NPS)
- mallard lung; need Colbert data; need to get Shawa data
- 23 MAR meeting (1 or 2 or 3)
- Lk Shawa 22 MAR 93?
- any info on MD 8/2002
22. memo documenting Ronalji calls
23. call John Moore about Ronalji data: no answer
24. Pete Jopke: FAX agenda - he will meet to lunch for Dale
25. memo for ~~two~~ swallow materials (done)

11 MAR 93

1. call Debby (Dulin & Dulin) for last name: no answer Debra Kopchan
2. call Ellen McCoy (North Park District) 751-4614: busy; left message; got back to me
3. call Scott Klemer (Waukesha County - Parks) 787-[redacted] 7037: no answer; sent him to 40 boxes
4. memo to Janet on Ronalji data
5. draft letter for Ronalji FOIA
6. call John Moore; not in; call back 22 MAR; left catalog #'s
7. note to Jackie to send comp. days (2)
8. call Frank (see yesterday)
- will FAX agenda; comments
- hands up on memo FOIA
9. call Kim McCutchan: left message for 22 MAR mtg
10. call Pat Trocklell: left message for 22 MAR mtg: afternoon
11. call Pete Jopke: left message for 22 MAR mtg
12. call Steve Mace: left message for 22 MAR meeting
13. call Brad Brown: left message for 22 MAR meeting
14. call Frank Horvath: told about 22 MAR mtg: he probably won't be able to attend
15. FAX suggestion to Frank for NRDA topics
16. note to Jan about 22 MAR 93 meeting
17. Steve Mace: Bob Read (Madison - 608-268-1952) x Halvorson (SEDO) (414-263-8[redacted]) gave me Illinois/Coal expertise; Steve in different section - just did some grant work
18. Brad Brown
- won't attend; FOIA usually makes several requests & what PRPs submit specifics
- I will send Brad our rebuttal for assessment plan after WDNR meeting

Property of the Field Museum of Natural History

19. NRDA seminar registration to Jackie

12 MAR 93

1. The Wildlife Society, WI Chapter meeting in Madison
- talk w/ Ken
- met several people
- talked to Peter Hill (GLIFWC) about Nemadji River
- talked w/ Harry Halverson about (SEDO) L. Genera
- talked w/ Denis (?) Rusch (SEDO) about L. Genera

16 MAR 93 WBBK 4/018

1. Ken: can't make Madison meeting on 22 MAR: push back; I should drive to SETAC from Madison; tree swallowing; business cards; etc.; got phone message
2. call Cindy Schroeder: stop by @ 2:00 for L. Genera pictures
3. call Reg Pallesen (return message) (312-886-5825)
- John Hahn: very concerned about causation; sending letter for more info.; willing to spend $ to fight; causation problem goes away w/o NRDA
- Bayliss attys less concerned about causation but want to know why did not occur in past
4. call Frank Hornath: left message
5. call Ron Windingstad: he will check mallard #s & get back to me (608-271-4640)
6. call Colleen Caldwell: left message (608-783-6451)
7. call Steve Mace: left message (414-263-8647)
8. call Ken Stromberg: told Tara about L. Genera: make sure calls get to me & message gets across to IMB that we're not stopping

9. call about business cards (Earth Care 256-5522, 223-4000, N. Cottage Grove, E. of H.W. 51, 4257 Cottage Grove)
- paper: no ink, no cards
10. read NRDA: Law & Econ.
11. Frank Hornath
- Mariana Scholstad: do we have minutes from PRP meeting?; investigative report ~~[illegible]~~ references some things not in report - must get all of ~~that~~; very helpful if we could know cost of assessment;
- talked about conversation w/ Reg
- talked Strategy
- Mariana, Frank, and I meet next week
12. visit Cindy Schroeder
- pictures for L. Genera case for SETAC talk (signed for originals)
- copies of additional info. for L. Genera case (for Mariana)
- looked @ lead shot in evidence - left there
- Mariana Scholstad called about needed info for Hahn
- IL Dept. of Conserv. biologist called about Jack Gracy's request for info. on Pb-shot die-offs: will force FOIA route & will release statement that don't know cause of the IL die-off
13. visit Ron Windingstad
- copies of info on mallard (only 1 in the case)

17 MAR 93

1. Check eagles w/ Tara
2. Ken (over)

- coordinate: ① 3 trips in day for Checo's proposal: ~~little~~ little spoke
② ~~Hot~~ Jack Snyder: x-hull # + collect eggs
- May 4 (once in April to pre-mark) mark nests (3 weeks: crib build)
- 1 double trip for Checo
- 1 trip to Opportunity for Checo
- three swallows

3. Virgil Horvath
- oil pit in Northern Ohio (Kinsey)
- Pete Cockerill: OEC - sub allocation from wetlands fund: Grand Cal, Long Beach, Green Bay ($100,000 each) ($200 off, $409 ?) ($158K)
- Frank works for memo to Pete (morning)
- Tony Dorf lunch + 4 other people from NOAA
- Dinner TUE night w/ Mavis Thulstad

18 MAR 93

1. call Linda Holst
- has distributed proposal but not followed up; he guess is that three swallows most likely for CLNPO, econ. for EPA generally, not targeted species
- asked if ACOE in trustee (for Bill Creal): said yes for ACOE lands; probably not salmonids in general, but could be both

2. note to Frank on proposal: FAX; copy to Ron (Ron talking to Kirk Bagwell of ACOE Atlanta)

3. remind Ron to get slides for SETAC talk

4. talk to Jackie about buying lumber (soon); also said fact was positive about using 1122 #; will confirm; same source as last year

5. call Pete Popke: busy; penciled in 30 MAR 93

6. call Kim McCurdy: meet 30 MAR 93 instead of 22 MAR 93 (Pat tuesday)

7. call Pat Trachell: can make it 30 MAR 93

8. call Steve Mace: no answer

9. read Brooks file (my copy) of L. Erie

10. put up 20 tree swallow boxes w/ Jane @ Chromcraft Park
- saw black ducks, mallards, red-breasted mergansers, 1 hooded merganser

19 MAR 93

1. merge Flanders + my L. Erie files (4 files from Craig)
- also Marshall file

2. Tom Dawson
- Tom spoke w/ Doug Meyer 2 weeks ago: Tom fearful on need for NRDA + that should not rely on RAP for action on Fox River / Green Bay
- Doug said I would chat about Bayview; ~~to~~ chat about Bayview / Meyer / Blumenshine meeting possibility
- Tom asked about progress on NRDAs + particularly on Green Bay
- I said that Pete Popke heard from urging on L. Erie; Todd O'Hara + Pete Popke heard from talking about Duluth + Duluth data or Remedy; no report
- Tom starts on ~~[redacted]~~ Green Bay NRDA + wants to work on USFWS / USEPA meeting
- Tom said meeting w/ Meyer went well but we should not count on NRDA action + should not wait to beg
- Tom will meet w/ Meyer monthly (April 14 next) - also involves NOAA

3. call Frank Horvath
- told about conversation w/ Dawson - I recommended Frank talk to John Blankenship about scheduling FWS/DNR/EPA meeting soon; Frank said John & Dale Bryson scheduled to meet May 4; will cc: mail recommendation to schedule 3-way meeting that same week
- talked about J. Genera strategy & meeting w/ Mariana Schalstad next week
4. read NRDA: Law & Econ
5. sort through papers from work (mail, etc.)
6. sent in registration form for MAR 30 meeting in Milwaukee (OPA fund)
7. read through tax info. from move

22 MAR 93

WEEK 4/09

1. read NRDA: Law & Econ.
2. Tax: Colleen Caldwell called; have slides
3. call Colleen Caldwell: no answer

23 MAR 93

1. Drive to Twin Cities for NRDA Seminar & SETAC
2. NRDA Seminar
- Tony Giedt (NOAA attorney)
① NOAA delegation DOC → NOAA → NOS → ORCA
② attorneys represent all of NOAA, but not all of DOC
- DARP (from ORCA) covers NRDA for NOAA ⇒ CRC co-located w/ EPA to work on NPL sites; DAC for NRDAs (5 economists & scientists)
- RC from NMFS for restoration
[DARP & CRC separate]
↓ NRDA ↓ REMEDIATION

③ NOAA still evaluating whether trustees for G.L.
- John Lindsay (NOAA - CRC)
① CRC - $3M ; DARP - $4-6M ; NOAA - $1.2B
↓ ($2M BASE plus revolving fund from cases)
FWS - $600M

Tony Giedt
① CNTS (not interested in site)
② conditional CNTS (EPA remediation w/ extras)
③ NRDA (remedy will not satisfy)
- must assume count / litigation quality data
- rebuttable presumption: most conservative view is that plaintiff gets to present whole case before defense can take shot (gets you ½ way through trial) (doesn't speak to adequacy of info);
- OH decision spoke some about acceptance criteria in regs (NFO argued too stringent) (Court said nothing in CERCLA lessens common law requirement for proof of injury (nexus)
- regs: injury determination is cumbersome, but probably necessary for litigation quality
- $20M for full-blown litigation-quality NRDA (reason for DARP creation)
- statute of limitations: 3 years from completion of CERCLA action; or 3 years from release-injury discovery or DOI regs (many issues for latter - no count law)
- causation requirement also means that discovery does not occur until causation shows in court (double-edged sword); regs may or may not be final yet (leans towards already final) [illegible]

COMENIUS Room 8-12 tomorrow #505

- if question st. of lim. - file (DOJ will tend to support file to be safe)
- 8 decisions from New Bedford Harbor case
- 1 scientist (Enviro), 2 contracts people, 3 NOAA attys, 4 DOJ attys on Montrose case; 2 economists

24 MAR 93

1. Continuation of NRDA Seminar (I gave Green Bay case study: Frank transformed them into written document

25 MAR 93

1. SETAC (Midwest)

26 MAR 93

1. SETAC (midwest): I gave talks on NRDA/Pb-shot (notes/overheads/slides)

Ken Stromberg, Pat Trochlel

30 MAR 93 : Meet w/ Pete Fopke, Kim McCutcheon, WEEK 4/020

1. I presented: (1) site info.; (2) reason important to FWS & maybe EPA; (3) NRDA process; (4) process at this site to date
2. FWS is documenting attempts to coordinate w/ WDNR
3. WDNR can comment (even as non-trustee) on Assessment Plan, Report of Assessment, Restoration Plan (officially) - if they don't, they will greatly weaken their ability to influence actual activity
4. Assessment Plan: potential contents
   - distribution of Pb-shot
   - HEP pre/post restore
   - Pb in sediment, water, vegetation (TCLP)
   - survey of plant species present (distribution?, other phylla?)
   - depths & contours of wetland
   - WET method; WDNR rapid wetland assessment method
   - locate groundwater sources (fen)
   - Don Reed: (draft) recommended methodologies for wetlands sampling
   - sediments characteristics

*CG Presentation for OPA fund (National Pollution Funds Center) (703 235 4758)

1. $50M annually for emergency - incl. NRDA initiation
2. National Response Center 800 424-8802
3. Must have Federal Project Number (FPN)
4. States & Tribes & Foreign go through FED trustee (DOI, DOC, DOD, DOE, NSDA) for fund

need: ① minutes from PRP meeting
② minutes from WORK meeting
③ GLWQA note

5. WE has not designated person or position for IOR(d) (OPA)
State access for immediate removal ($250K max)
6. Environmental Officer (Sheila Heff) requests NRDA initiation
2. Director can request NRDA initiation directly to NPFC (not through OSC) (probably - can get confirmation)

3/MAR93
1. Need numbers for Tom Custer (2) & Milwaukee
2. talk w/ Ken about Top R+ NRDA
3. Sediment group meeting
- Tim Doerger: particle separator won't work for PCB remediation
② LLBDM
- Peggy set ranking of Top R. sites
4. talk w/ Ken & Dave about field season
5. Talk to Ken & Janet about pushing for Dixon Boys NRDA as 1st Luz R3 case
6. Take Dave over to Jessie's head sock (Saturday)
7. talk to Ken & Dave about Custer's idea for swallows
8. Dear mail
9. fill out training form for boating safety - to Janet
10. book from courses
11. message from Tom Custer; returned: message to call 05APR93
12. returned message to Tom Eggert
13. call Colby Caldwell: no answer
14. call Linda: left message

talked to Linda on 05APR93
1. [illegible]
2. CB NRDA: case for 1st case (② Secy personnel ③ plane ④ attachment initials)
3. WORK meeting (Lk Geneva)
4. GLWQA
5. Patti Rogers

01 APR 93
1. Turn in RITA time info.
2. Tom Eggert: had interview w/ OS; OS not sure what they want in terms of generalist vs. environ. talent
- I said we were trying to persuade Marcia that she needs environmental atty.
3. file / clear desk
4. call Colby Caldwell: left message
5. Tom Custer - mailed invite
- collect 10 batches of eggs (30-40) for Robust to do egg injection
- pluck or not; up to donate (adults)
- look for other sites to shoot; or collect just females (for adults)
- mail his notes
- have message in few weeks for field stipend (OPA)
- think about getting Dan Beaver in for white
6. Colby Caldwell: $10K needed; doing work on own; will stay & have report in April
- Colby needs $ ($10K) to finish up Kalamazoo so she can work on this
- she will look into literature on acute effects
7. memo on WORK meeting on Fri Dave
8. talk w/ Dave, Ken, Frank, J.J. about funding for Colby Caldwell
- J.J. & Ken will each search for $5K
- I will contact GLIFWC & BIA for $
9. Peter's call to Pat Rogers (LE-MO)
- extensive discussion about how NRDA works & authorities
- I recommended that she invite Region 4 & Rick/BSAFC to find if any NRDA interest; welcomed her then to call me/us

02 APR 93

1. memo for LKGN meeting w/ WDNR - complete: FAX/MAIL
2. read Tom Eggert's manuscript (State NRDA)
   - called to see if can send on
3. swallow boxes (~~30~~ 19) at Poygan

05 APR 93 WEEK 4/021

1. talk to Tara about swallows this week (MO, WE)
2. note on GLWQI for John B. to Ken S.; finished; to Ken w/ draft stamp & warning not to distribute
3. Tom Eggert: ok to send his paper on
4. set NRDA materials to Tom Dawson
5. ~~sign~~ for UPS
6. ~~30~~ 27 (29 poles) boxes at ARK (4 poles)

06 APR 93

1. ~~[illegible]~~ drop off truck w/ Ken (recall)
2. talk to Ken
   - no $ for Colleen Caldwell
   - I will draft report ~ 15-20 APR 93 w/ info. that I have (Janet's approval/signature?) & bump to R3 along w/ FCIA & any incoming calls
3. call Karen Vermillion: not in until 10:00 am
4. call Terry Wide (BIA)
   - B.I.C. person coming next week - will ask for $ & get back to me
5. call Karen Vermillion
   - no $ in budget (all spent)
   - suggest asking Claudia Johnson - Schultz
6. draft meeting notes for Lt. Sen.; FAX to DOI in attendance for comments before finalization
7. picked up & unloaded 200 6'x6"x3/4" cedar
8. loaded truck w/ 37 poles & boxes for Poygan
9. talked to Janet & Steve about Steve helping @ Poygan tomorrow
10. talked to Janet, Steve, & Joel about building boxes MO
11. picked up 2 trucks w/ Ken & Tara
12. call Frank Kornath
    - see two pages back (top) for discussion (5 points)
    - think about acting as Regional NRDA resource from Green Bay

07 APR 93

1. Eagles @ Oconto w/ Tara
2. Put 30 swallow boxes up @ Poygan

08 APR 93 (Madison)

1. Ken & Tara
   - CG (Cleveland) @ oil spill drill yesterday - need for WL cleanup capabilities & OSHA safety training; (we) discussed the feasibility of WL cleanups & the decision to attempt or not at a site
   - files: discussed needs for new building
   - talk for Karasov's class in Madison; discussion of science vs regulatory policy
2. Mike Simonson
   - report by end of April w/ or w/o chronic fish data
   - mechanics of NRDA
   - legal implications vs practical of report
   - cotrusteeship possible between FWS/WDNR/Tribes
   - FWS trusteeship for migratory birds independent
3. work on talk for Karasov's class

12 APR 93

WEEK 4/022

1. get drills & saws & nails ready for box building
2. talk to Ken about R3 NRDA priorities
   - Ken independently advised not getting sucked into C. Lansing work
3. work on talk for Karasov's class tomorrow
4. call Colleen Caldwell
   - no report from 3rd party yet
   - still shooting for end of April
   - told her about possible funding from BIA or T.J.
5. Michael Thislaw 608-287-8911
   - CERCLA project
   - got NRDA info
   - will be pressuring WDNR
   - told that in contact w/ WDNR staff, but that Jopke learned from 2 of 3 sites
   - will be in touch
6. pick up cable etc. for cormorants & nails etc. for swallows
7. review box needs w/ Steve & Joel (started)
8. Brad Benning (just checking)
   - WDNR folks less agitated
   - WDNR had good ideas & thinking further
   - will try to send Brad draft Assessment Plan in couple of weeks

13 APR 93

1. go over talk for Karasov's class: notes; (also stapled
2. call Cindy Schroeder: left message
3. call Pete Jopke: no answer
4. gave talk for Karasov's class
5. went over APR schedule w/ Ken

14 APR 93

1. Pete Jopke: update on our Nemadji Report (I said R3 would decide end of month what to do if report incomplete)
2. call Frank Horvath
   - talked about schedule & priorities: Frank agreed that L. Geneva more important programmatically, but that potential explosiveness of Nemadji suggest it be done 1st (report this week to R3; L. Geneva Assess. Plan end of month)
   - talked about L. Geneva strategy & Mariana's letter: FWS priority & strategy should be formal comment period on draft Assessment Plan; FS strategy may be to cut deal based on informal assessment plan w/ PRP; we should confirm our strategy w/ management & make sure FS knows the strategy & consults w/ us before commitments to PRPs that may diverge; FWS should assert NRDA leadership regardless of comfort level by FS, EPA, PRP.
   - Frank will talk to Mariana today 886-6777
3. call Ken Ferrer: left message (how/who to notify for 30-day comment period)
   - FRN guarantees compliance w/ any FED PN requirement
   - sometimes can use other, but should be authorized to use
   - can FRN whole document or availability
   - if availability, can incl. local site
   - will send LaMP example
   - discussion about Green Bay actions, NRDA authorities, Bryson/Blankenship meeting

4. call Paul Stedman
- will FAX list of chemicals in spill
- wants copy of report
- EPA close to DOJ referral; interested in NRDA
5. Frank Horvath
- Don Garner-Gerhardt (from Congressman Oly's office) wants copy of report (South Range, WI 54874, Rt. 1, Box 858)
- Oly asked Shelela to involve CDC: will send scoping team to Nemadji to assess need for human health studies
- Frank explained need for $ to get report analysis - did not give Colber's name; may get $ or direct EPA $, if possible
- told Frank I need T.J.'s info on the mallard + Frank/T.J.'s methods for samples for analysis (residue)
6. long discussion w/ Janet + Ken on strategies + priorities
- we should proceed w/ Green Bay NRDA (jump in), rather than wait for R3 prioritization
- Janet wants rough timeline for activities (leverage WDNR + start action + leverage resources) (meet w/ PRPs unilaterally + informally); brief John Sam; John B. ↔ Dale B. meeting; EPA/FWS/WDNR meeting; admin. actions)
7. call John Moore: include B flag if >2:1 (w/o * if >10:1); don't include U flag; J flag ??
8. work on Nemadji report

15 APR 93
1. work on Nemadji report
2. call Frank Horvath
- need fish sample locations
- need fish + bird collection methods
- need mallard ~~[illegible]~~ residue info (catalog)
3. Frank: Remington vs. Conn. Coastal: Pb is solid waste + hazardous waste
- will fax summary of decisions
4. call NY Court of Appeals about copies of decisions
5. sent letter + $5.40 to N.Y. Fed Court for decision (Kevin Brofsky, U.S. Court of Appeals, U.S. Court House, 40 Foley Sq., N.Y., N.Y. 10007)
6. call Cindy Schroeder: left message: talked about new decision case
7. call Matt Richmond: left message: talked about new decision (hadn't seen it)
- takes pressure off of hazardous substance question + precedence for "anti-gun"
- ? potential cost of restoration
- will FAX today

16 APR 93
1. work on Nemadji report
2. send copy of Pb-shot decision to Cindy S. + Mariana S.
3. call Pete Jopke for fish-kill information: left message
4. call Tom Eurell (U. of IL): left message
5. call Stan Smith/Karen Enser: left message
6. call Frank Horvath: left message
7. Cindy Perry (D.C.): give talk on L. Geneva @ Veil? - no-field season

8. read Conv. Coastal. decision
9. call Reg Pelleson: left message about decision
10. call Rich Bishop: left message

19 APR 93 WEEK 4/023

1. meet w/ Ken & Tara
- Tara will work on swallow hopes w/ Steve & Joel
- Ken will call about Long Tail, islands, & Kidney
- I will call ACoE - Detroit
2. staff meeting
3. search catalogs for mallard data w/ Tara
- printout of all catalogs
- notes: 15 JAN 93 T.J. alerted us of Nemadji sample needs
- call Ron Windingstad - annual leave
4. call Frank Horvath
- search for mallard data: 301 - T.J. 303 - KEN 308 - T. CITIES
- 3030012 (not water - 3080012); has 2 funding amendments; Frank has narrative (70 pages) - word "duck" not in narrative (loon data)
- FWS personnel at site: see FAX to Stedman (p. 158-9)
- talked about Pb-shot decision
- talked about Lk. Geneva; also presentation for Natl. meeting
- Nemadji: acute, not chronic; prove able for NRDA
5. call Tom Walker
- 9:45, 20' talk, "Port of Milwaukee"; 43S 794E rt. fork bridge dealed left
6. call David Hills: has mallard sample; talked to Patuxent - need new PO & catalog; none yet
7. left message for Pam Horner (ACoE) about tree swallows @ Kidney

8. call Frank Horvath — mallard collected 2 days before rest
- mallard sample (lung) for Nemadji was never run; fish samples received by Hazelton 09 JUL 92; mallard sample sent by Madison Health Lab 19 OCT 92; fish catalog/mallard catalog (3080013) finished w/o mallard tissue 16 AUG 92; Patuxent required new catalog & P.O. before allowing Hazelton to run sample
- Frank will give T.J. cc: mail note & recommend against doing analysis now: ① pro or con, data won't influence report (& residue doesn't indicate rest; exposure only marginally reinforces current conclusions) ② $ better spent on Colleen Caldwell
- T.J. will have to decide if personal interest enough for him to fund
9. call Pete Gopke: left message
10. call Frank
- extensive discussion on Nemadji strategy & data quality
- mallard not critical
- data good, but not extensive enough for full blown NRDA; ∴ look at cond. CNTS strategy
- meet in RO (T.J., Frank, Ken, me) to talk over case (at same time as GLWQI / Green Bay briefing)

20 APR 93

1. Nemadji report
2. Env. Tox. seminar
3. Prepare for Nemadji talk

301 497-0515

(July 22) (June 23) (MAY 12 drill) (MAY 28 meet 9:45)

21 APR 93

1. Milwaukee: Nemadji talk @ C.G.: they will send schedule of future meetings; will work on developing NRDA sampling capabilities via OPA → FWS → contractors
2. Nemadji report

22 APR 93

1. call Rich Bishop: update on potential funding
2. return call to Reg Pelkan: left message
3. call Pete Popke: no fish kill #2; talked about 3 options: ① no action ② cond. CNTS ③ NRDA; meet in May (NR Trustee staff)
4. field-cormorants

26 APR 93

WEEK 4/024

1. work on Nemadji Report
2. attachments 2 (fish) + 4 (birds) to Jackie for 10 copies (bound) each
3. call John Moore
   - will review chemistry in report this week
   - FAX
4. read Tom + Ken's Refuge Report
5. talk to Ken about NRDA strategies + science strategies on Green Bay
6. call Patti Meyers
   - pick up 100 poles (7') @ ~2:00
   - Jackie said 2 weeks for 200 poles (replace when arrive
7. Jackie: all right to put desks in gov't truck
8. call Colleen Caldwell

27 APR 93

1. 20 boxes up at Little Kaukauna
2. work on Nemadji report
3. talk to Tom about NRDA work
4. talk to Ken about Colleen conversation

28 APR 93

1. finish draft Nemadji report (except Colleen's part)
   - FAX to: Horvath / Miller; Caldwell; Windingstad; Stranberg
     Colleen: 608-783-6066
     Windingstad: 608-264-5431
     Horvath: 612-725-3526
2. clear mail
3. leave slip for vacation to Ken
4. change work schedule (to Jackie)
5. spikes in trees swallow boxes for Kidney Island
6. 20 boxes up at ~~Kidney Island~~ Kaukauna
7. 43 CFR + preamble to Doris for copying (for Ken Tanner)
8. call Pam Homer ACoE about swallows
   - send letter: Mark Graziola
     Chief of Const. Oper. Div.
     ACoE
     477 Mi. Ave.
     Det., MI 48226-2550
   - Carla Fisher will check w/ real estate to see if can put up ~~[illegible]~~ this week while arrangements made
9. Ken wrote letter to ACoE for Janet's signature
   - FAX

ACoE
Carla Fisher
313-226-6807

29 APR 93

1. Kim Miller: Chris Dawson had some concrete on Monday - will FAX
2. Tom Custer sent protocols
   - copies to Joel & Tara
   - OPR message to Tom
3. Bad mail
4. prepare for swallows at Hickory & Long Tail
5. left message for Carl Kahler
6. Chuck Hewitt (will call again tomorrow ~ 8-9:15)
   - Mariana wants more info. on L. Shore for PRPs
   - Ray wants to meet May 2 re/PRPs; Mariana wants more info. by for 20 MAY 93 & 21 MAY 93
   - touch base with Kathy re/Mariana
     ① 2 points (FRN & 8 natural resources ofc)
     ② draft & pre-draft Assess Plan at meeting
   - Dawn will talk re/Ray Pallaba
7. call Ray Pallaba: left message (in until 12:00 today & 7-8 tomorrow), returned call
   - no need to send physical samples - probably bad idea
   - FRN good idea for showing our woodwalloons and other intent to proceed
   - MAY 3-4 draft Assess Plan; potentially meet 20 MAY 93
   - EPA's declaration of imminent hazard means can't wait to lay to start, but also willing to invest for our needs as much as possible; EPA will engage PRPs by posting (via RCRA) out that EPA will proceed & EPA will proceed even w/ delays and correction - double fault, double expense - should cooperate re/Scott with all can
   - Coastal Risk decision possible - can use RCRA & threat - Mariana ok w/ formal - maybe; selling point is lost money to fish (key issue)

8. call Tom Mella about swallows: left message
9. Mike Donovan - returned call: left message
10. talked re/Jim Hodgson (Lt. Norbert): sent bits for swallow boxes

30 APR 93

1. prepare for swallow trip; 20 hops up @ Long Tail Point (LTP)
2. Paul W.
   - Mariana disagreed re/memo & formal approval (discussed)
   - talked about conv. re/Ray
   - needs TCLP attachments
   - will call MO 8:30
3. Cindy Schroeder
   - talked about conv. re/Ray & Hugh
   - need to get to Gilbert before end of June, if possible
   - need copies of pictures & tapes
4. call Tom Mella & Jim Hoffman: not there / no answer
   - Wayne Schloop, [redacted] Project Operations Section 317-226-6797: too available, too much of an unknown (answering)

WEEK 4/025

03 MAY 93

1. copies of materials for Env. Tox. Nav. students: to be for address (mailed)
2. talk to Dr. Lloyd Lt. Ln. Potter issues
3. visions to Monday report
4. staff meeting
   - 19 MAY 93: Bryson / Blackstock meeting
5. meet re/Janet, Dr. Tara about pesticide use
6. Tile Monday: comments & data

7. Copies of Nowaki report attached 395 (received 2/4)
8. Call Colleen Caldwell: left message
9. send pesticide/bio-control info.
10. looked over attachments for Frank (L. Green)
11. gestures to Taylor to show form copies (Hope)
12. Colleen Caldwell
- a few price changes
- will finish by Saturday
- mail date of 10 MAY 93 for
13. Confirm: Hopke (message), Simonson (message), Timms (closed) (FAX w/o attachments ASAP - AM or 10AM), Dahl, Rhodes (message), Vermillion (closed), Stedtfeld (message), Dawson (message)
14. call Frank Horvath: left message
15. call John Moore: no answer

04 MAY 93 (6 hours comp. time)
1. call Frank Horvath: left message: FAX'd message (KAA/FWS; Nowaki; KKH)
2. send bio-control info. for gypsy moths
3. call John Moore: left message to FAX comments to us this week
4. Bob Timm (message was from yesterday)
5. prepare for swallow/cormorant trip: 20 loops eye @ KAA
Jack Dalonde (10 seal). observe cormorants (overnight trip: 13 up at HAK; [illegible])

05 MAY 93
1. 2 swallow broken eye @ JAK
2. back from cormorants/swallows
3. swallow data sheets
4. revisions for Nowaki

calls on 06 MAY [illegible]
PRI meeting on 17 MAY 93 in Chicago; drop dead things as necessary

WEEK 4/026

10 MAY 93
1. finish Nowaki Report FAX + mail
2. call for Mike Simonson's new: 1800 Dual One Superior, WI 54880
3. Bob Dana memo + outline of comments conts + contacts (FAX to Brad)
4. Cormorants
5. ck for Dr. Rockwell (message from weekend)
6. Trash
- lunch: Jerry, 2632 E. 3rd St, Superior 54880 (3rd or 4th) (on left top - of property)
- mentors: Dinda, 392-4092 (on ground c/ mi. downhill)
- call again in/morning 1:00 pm FRI
7. call Colleen Caldwell: no answer
8. meet volunteer; TH @ 8:00 - swallows

11 MAY 93
1. drive back from cormorant work
2. check swallows at bay-tail posts
3. call Brad Horvath
- PRI's hiring consultant - want to wait until a few staff have conference call Friday for next meeting (June 8, a week of 14th)
- Nowaki report to Fabaty
- call Jay Fabaty, Duluth News Tribune, 218-720-4156 about Nowaki report
- Dr. Rockwell/Bayona meeting: Bayona agenda items: ① GLWQA ② Bear Bay NREA, WARP coordinators; Potter ESA consultation; if more info/briefing needed
- Frank will let me know

May 21st–24th in Superior Bankers Island Inn

4. swallow data sheets
5. tell Janet about Blankeslip/Bryson agenda

12 MAY 93
1. 20 boxes up @ St. Norberts College
2. Coast Guard Oil Spill drill (handout)
3. Tommy Dulin:
- extremely happy w/ report; will be in Superior
- typo: July 1993 in a few places (instead of '92)
4. travel vouchers (3), training form, receipt to Jackie/Janet/Jean
5. tree swallow database

13 MAY 93
1. trees swallow (checked POY, ARR, KAV, LIT)
2. call Mike Simonson from home
- ~~[illegible]~~ talked about report

14 MAY 93
1. 5 boxes up @ POY; checked 5 w/ carol
2. checked eagles @ Oconto
3. Mike Simonson: taped interview
- concern about bioaccumulation – safety of eating fish
- concern about difference between WDNR report & USFWS report
4. Dave Chudzik (KOOH Duluth 218-727-8911)
- same concerns
(& said bioaccumulation ≠ persistence; difference between reports could be due to h.h. vs. F&WL)
5. call Frank & Mariana for conf. call – lines out

6. call Frank
- John B. will call Ken and/or I about GLWQI on MO or TUE (17th or 18th)
- conf. call w/ Mariana on 17th @ 8:30
- GLWQI involvement for me – (prefer unofficial)
- Nemadji: told about press contacts
- LKFN: Mariana has draft – didn't say anything
7. Jay Fraherty (Duluth News Tribune) (had FAX – Hardy)

WEEK 4/027

17 MAY 93
1. enter swallow data
2. called Deb Daniels for loan forms – will send
3. Conf. call w/ Frank & Mariana
- formal and informal parallel (do both)
- I will: talk to Don Reed; informal info on time & costs of restoration/removal assessment costs w/ EPA actions broken out; draft FRN
- talked w/ Frank afterwards
4. meet w/ Ken, Tara, Joel
- T, R, M, W, F; then 3 people x 2 days sampling for 2 weeks
- 5 nests per site; 1 egg each; then 1 nestling from same, then again / – or – 1 egg sample & 1 fledgling sample
- 10+ nests at POY & ARR for P450
- 10+ nests at each site for productivity
- can take adults from POY & ARR if necessary.
5. call Tom Custer: left message
6. told Jackie about $389 or $393 check – she will check on it (has not come – confirmed; should be here soon)

– over –

~~5. call Robert about Blackwater Pond grants~~

7. call Steve Mace (will call back this afternoon, 100' for grid
- counting 8-shot/acre: [45/sample + field cost/coord: 3 hours/sample] (2 days)

8. call Dick Stehl
- HEP for waterfowl habitat on 40-50 acre wetland
(counting waterfowl model for upper Miss. - modify)
(breeding models for species of ducks (blue-winged teal, mallard)
(contact w/ grad. students somewhere to find models)
(depth / phyto-zooplankton / open water / etc.)
(muskrats, marsh wren, mallard: n/2 variable; 2-3 days for baseline; literature search to estimate natural restoration): mallard wintering habitat; yellowhead blackbirds; muskrat; red head wintering; Am. Black Duck: Canvasback Breeding; Marsh Wren; Bull Frog; white-fronted goose winter; least tern; gadwall breeding; lesser Scaup winter; teal breed; lesser snow goose winter)
- coming months for wetland community for SE WI

9. call John Moore
- cost/time for TCLP (Pb) sediment: $250/sample (3 days)
[Pb] sediment: $41/sample + 20%/sample "
[Pb] H_2O: $9/sample + 20%/sample "
[Pb] vegetation: $35/sample + 20%/sample "
TCLP (PAH) sediment: $250/sample "
[PAH] sediment: 300/sample "

10. call Ron Stuckey (no answer)
- survey of vascular aquatic plants in 50 acre wetland

11. call Don Reed: left message
12. call Pat Stockdell: left message
- WDNR rapid wetland assessment method:

13. Talk to Ron Perry

14. Tom Custer
- 5+ nests per site sacrifice all but 1 egg for blood & stored tissue
- 5+ nests per site replace sacrificed eggs (sacrifice & switch between synchronous nests at pipping; mark unique original chick; sacrifice @ 15 days for blood, liver, stomach contents)
- 5+ nests @ control site: inject chicks, wait, sacrifice for P450 copper loading
- 10+ nests at all sites: productivity

15. print swallow data / FAX to Tom Custer
16. Colin Caldwell: wants to submit report for publication (David ok)

18 MAY 93

1. FAX swallow data to Tom Custer
2. Clean desk / mail / file
3. call Steve Mace: left message; got flow (see last page
4. call Don Reed: left message
5. call Ron Stuckey: no answer (confirmed # w/ Plant Biology Dept. @ 414-229-4952) (also called Tom Townsend)
6. call Cindy Kallaback
- update on LKGV
- Cindy available to help, if necessary
7. call Brad Bortz: left detailed message about assessment
8. Tom Custer
- 14 nests w/ eggs now
- find 3 8-egg nests in pairs 4-5-egg nests from other sites / collect 1 sacrificed chick + 1 switched chick; egg w. from the nest

7. check swallow boxes (Tara, Joel, Joe - ARR, POT)
(PDA: NOR)

19 MAY 93

1. fill out & send TSP loan form
2. swallow data into database; modify report form (60 lines/page)
3. call Don Reed: left message
4. call Ron Stuckey
- length of time to identify plants: need to do over season (1 week for 12 weeks JUL-SEPT); may need a few spring observations; 1 person w/ expertise could handle each survey in 1 day
5. print out swallow data → FAX to Custer
6. prepare for cormorants
7. paint truck ~~[illegible]~~ calc
8. read U.S. Constitution
9. read ethics handout (no signature)
10. field: swallows & cormorants (1 cormorant w/ potential newcastle @ HH)

20 MAY 93

1. back from cormorants: checked swallows @ Long Tailt
2. Janet:
- call from concerned citizen on old spill (gave EPA names)
- Tenner/Blankenship meeting: main topic was Green Bay-Chicago meeting in August, then to WDNR; work on preassessment screen for August
- GLWQI: R3 lead, then thru Wash D.C. for official response
3. call Cathy Converse about cormorant w/ Newcastle: left message
4. call Don Reed: left message:
5. call Tom Custer
- come down 25-26 MAY 93 if possible; call Rudy Weins directly
6. Don Reed
- series of soil boring (6" deep & 12-15" deep) test for P's & combinants: cursory 1st to see if present; if is, the more detailed
- plant inventory: line intercept transects: 20 transects ~~[illegible]~~ 3 meters long; randomly through site; FED & State species; if fen expert (now and end of August) (just end of August)
- contours may need to be change (maybe deeper & wetter if peat removed to avoid breakthrough)
7. Pat Trochlell: WDNR assessment methodology: $3000 dollar range to characterize wetland (info search, values of wetland): before and after
- should do work in wetland probably
- will FAX example
- ACoE: Steve Egger's has info on calcareous fen (Savage Fen) 612-220-0740
8. call Steve Eggers: left message
9. Ron Windingstad: gave info on cormorants; sanitation measures taken fine; grab sick or dead birds - ice - send to Madison
10. call Frank Horvath: left message (no call back nec.)
11. call Mariana Shulstad: left message - have all info. for LK GN that we need
12. enter swallow data & print

WEEK 4/028

24 MAY 93
1. talk w/ Ken about last week
2. travel vouchers
3. FAX LKGN info. to Tara
4. Ken will talk to Tom Custer to see if trip to La Crosse necessary
5. Green Bay mass balance (handouts)

25 MAY 93
1. Green Bay mass balance (handouts)
- Larry Smith & Dave White & STAC interested in CVM
- Pankaj says FWS NRDA on Green Bay was discussed as possible strategy @ EPA (46 weeks ago)
- NRDA comments seemed to get Lyman Wilkins & others' attention

26 MAY 93
1. tree swallows @ KAU, LIT, NOR
2. cormorants - field
3. Pete Jopke
- Eggert says States can't use CERCLA 122; must use 113 or other State authorities
- WDNR intends to recover ~$150K for expenses & damages on Nemadji; will send us their final report
- talked some about mass balance
- no good news on extension of his NRDA work
4. left message for Cindy Schroeder
5. time sheets, comp time earn & take (3 hours FRI)

27 MAY 93
1. back from cormorants
2. boat keys missing for long tail point swallows
3. enter swallow data
4. get liquid nitrogen for tank w/ Ken (~$10.50)

28 MAY 93
1. calculate swallow hatching at POY & ARR
2. call Tom Custer
- Randy will come in TUE evening 01 JUN 93 → WED, maybe Th morning w/ supplies & training & will take ~30 eggs for incubation from POY on Th to La Crosse
- we should check boxes on 01 JUN & call; have N
3. prepare data sheets for TUE
4. talk to Janet about swallows: food will be unavailable only 1 day next week (WE/Th)
- also talked about L. Genera
5. call Ken @ home: probably no cormorant work next week: Ken & Tara available for swallows
6. call Cindy Schroeder
- she has private info. from inside (see FAX)
- strategy (we agreed): ① define parameters of assessment in detail; ② define parameters of liability generally w/ plan for resolution (covenant not to sue in exchange for restoration plus assessment costs); ③ expedite removal (only need baseline assessment info. 1st); ④ commit to basing further NRDA work on the planned & actual assessment plan & working quickly to settlement that restores

- call Cindy 09 JUN (WED) after talking to Frank & Mariana
7. left message for Frank to call morning of 01 JUN 93
(see previous page)
8. Randy Wise
- will bring supplies
- we should have someone fly to Patuxent Th
- will bring protocol info
9. talk to Janet/Jackie about flight (& Ken)
- left w/ Jackie: I will fly if La Crosse pays

WEEK 4/029

01 JUN 93
1. tree swallows: POT, ARR, LIT, NOR, KAU
- Ken will fill N-tank & get coolers ready
2. call Frank Horvath (left for day)
3. enter swallow data & plan for tomorrow

02 JUN 93
1. FIELD: Swallows: 3 switches
2. Frank Horvath
- conf. call w/ Mariana on TUE @ 3:00 after I FAX
L. Genera memo & talk to Frank
- send Frank pictures & tape (Ken)
- GLWQI: Endangered species consultation vs. rulemaking comments (FWS should try to anticipate ESA consultation issues during comment period). authority to assign GLWQI & make decisions on comments should be assured - don't expect field office to be able to force adequate review

03 JUN 93
1. FIELD: swallows: ① 3 switches ② 6 clutches to IN (John Eisman) for P450 rangefinding

04 JUN 93
1. return from IN
2. Ken: GLWQI review
- John P. helping assure adequate review; Ken has group to receive EPA, R5, WD presentation, the oral review; the 2-week review of parts of document; the decision on comments; the up chain to Sec. (also attempting to get extension from July 30 deadline)
- Frank discussion about likely technical issues, which issues most important (TRC & NH_4 vs. Tier 1 WL criteria), difficulties of compelling FWS to stand behind comments, danger of ESA issues blindsiding after inadequate comment on FRN, need to inform EPA in official comments that ESA consultation could turn up new issues based on EPA's Biological Assessment
3. call ~~Mark Melanson~~ Tom Custer w/ swallow latest dates
- call 301-498-0284 497-0515 (FAX)
- FAX to Mark Melanson, Dave Hoffman, John Eisman
- yesterday field went well
- take in 10 clutches' lines for P450 from affect sites
4. reinstall PC tools; fix disk; restore files
5. enter swallow data

WEEK 4/030

08 JUN 93

1. input tree swallow data + print
2. clean desk / mail
3. Frank: conf. call may be at ~4:00 pm; I will call later this morning
4. left detailed message for Pat Trockell for rough time estimate to complete activities in wetland assessment
5. Finish memo on L. Gerra w/ assessment costs; FAX + send
6. Frank
- we will ask Mariana what she thinks her role should be at meeting
- rough total estimate for assessment: $20K, of which $13 ks also needed by EPA
- Frank only sending last pages of memo to Mariana (only send that part to Reg + Brad
7. Fax last pages of memo w/ $ estimates to Reg Palbeen + Brad Benning
8. call Jim Drought (Gibbs Engineering) about L. Gerra inquiry; left message (414-544-0118): answered questions about restoration costs + contracts + process; represents potential buyer of Americana
9. call Dick Peddicord (EA Engineering: PRP consultant) (410-584-7000): left message
10. call Rick Bishop: left message that $ came through
11. note to Jackie on computer problems
12. reservations for Seattle; sent info. + application
13. return call to Paul Schwartz (Pub. Int.): left message
14. Dick Petticord
- initial cores indicate a clay pan bottom below decaying organic material
- looks like pH 7.0+; mostly in center part; may be able to remediate w/ low impact

15. Conference call w/ Frank + Mariana
- repackage page 3 for PRP meeting + FAX to Frank + Mariana
- don't mention page 4 restoration costs to PRPs
- meet in Chicago @ 10:30 am (I'll pick place)
- Mariana will call Reg. Palbeen about meeting place + time
- Assessment Plan can include input from PRPs: still going to FRN though

OVER

WEEK 4/03

14 JUN 93

1. Clear POT & ARR
2. Leave notes for Joe & Dara about pre-flight briefing
3. Talk to Dave & Marcia about Lt Berry
4. Talk to Janet & Pat about swallows; Joe can get swallows on TCE

5. call Tom Custer
- review citations; send data; strategy; come down w/ samples decided?; spend no $6K on density this year
6. call CF Jeffers: Fountain Terrace disturbed by loon/geese?
7. return call to Stephanie Klingbeil (King & Ballelli)
8. return call to Dave Heffron (no
9. call Paul Schwartz: attorney to comm: message FAX letter
10. call Pat Goodall: 3 months 6 months; will send draft FRN
11. call Pete Jopke: left message
12. call Marcia: message
13. Tom Erdman
- Cat Island 100-159
ground pests (fresh eggs → 13 days old)
(& site entrance - away from goats);
may have rotten pelicans
- Wednesday d. gulls hatch

16 JUN 93
1. Talk to Cindy about meeting YFRR
2. call LE Sparshott for FRN (Cathy)
Paul McGowan
703-358-1734
- FR Handbook. Dept. of Interior's office of Policy, Management & Budget
for PDM
703-358-1943
also look @ FRR
- does will send a package or example
3. call Regional Office through Jim Phillips (or Jim Pflaum)
- probably Region 3 (will get back to me)
- will send draft documents
4. call Sharon Brailsford (FR, APA) - Contact Person (Code 130) Executive Secretary (Code 100) for FRN

Desktop Handbook: writing the FRN: Originates Chief/Division → Regional Director → RD → R9 Division → Director → Division → FRN

RD sign public Barry notes Public comment mail and sign

15 JUN 93 (Chicago)
1. meet w/ Marcia & Frank about <LK GN (PRs)
- go over about $ costs for assessment
2. meet w/ Ray Brandt, Ron, Frank, Marcia
- EPA order w/ NRDA requirements / CNTS w/ EPA order requirements ideal
- EPA order w/ assessment plan done first by us (removal runs first) 2nd best
- EPA talks & FWS does all 3rd best
- EPA talks & FWS does all 3rd best
3. meet w/ PRs (Lake Shore)
- EA ongoing retained - will run project
- PRs must finalize
- EA review of causation
① size distribution comparison (Rats: geese vs. site): found some larger shot at site
② vegetation was known at site vs. year in geese
③ lack of draw to site (only injured geese be attracted); warm period could keep other wetlands open
④ stream to runway - no springs seen (drainage ditch: front of wetland); small seep on a tributary
⑤ did not find watercress at site
⑥ Canada notes in area; stream frozen about that time
⑦ other possible sites: other bays, Calvert (operating clay shoot), Calvert (H&C Calvert), (corn field), (Calvert) (Conservancy property), (pasture): these rated equally plausible
⑧ ice floats was bad ⊗ shot for ballast
⑨ type of shot in the lake
- Neither side can show how geese got #8-shot (Parker)

Lake Geneva
Al [illegible] General Partnership

- all Pb-shot should be illegal (Kahn)
- why JMB (Kahn)
- Removal information & site evaluation (EA) (handout)
- Restoration plan & resolution of liability this summer
- 2 additional PRPs (Montgomery Estates of Wells Fargo Bank
  - and - American Hotels Corp.) 1960 East Grand Ave
  201 Main St, Ste 600 El Segundo, CA 90245
  Ft. Worth, TX 76102
- EPA will look into bifurcated Consent Decree & give examples of phased consent decree

4. sidebar w/ EPA
- both Agencies move forward rapidly

5. reconvene
- FRN proposal end of week (work w/ EA)
- EPA draft order w/i 2-weeks
- notice letters to 2 PRPs
- MYT closed @ club (16 JUN 93 2 pages back)

17 JUN 93

1. computer installation & configuration
2. talk to Frank about FRN
3. talk to Tom Augsburger (919-856-4520) about Pb-cleanup @ refuge
4. talk to Ken about FLWQI (get HQ & R3 reps.)
5. talk to Ken & Jane about cormorants, swallows, CG-terns
6. Tom Walker terns: can try to avoid next season in future
7. look at 43CFR for assessment plan requirements
8. Rich Bishop: has committments for this year, so does David Bush
   (1) if no dissertation restrictions - David Bush in 1 year
   (2) Bishop oversight w/ consultants
   (3) Bishop involvement w/ John Stoll - U.W.-GB keep in touch

copy of report w/o attachments)

18 JUN 93

1. computer work: backups
2. call Frank
   - sent addresses of addtl. PRPs: letters 2 MONDAYS from now (Frank)
   - Frank will also start on FRN where I leave off (2 Mondays)
3. read through Lake Geneva materials (preassess, case study, etc.)
4. EA Engineering FAX on LK GN (from Jim Gift - called)

21 JUN 93 * Ken Tenner: wants to set up Green Bay meeting w/ Blankenship WEEK 4-032

1. LK GN FRN
2. talk to Ken about GLWQI: need to get reps from R5 + R9 to EPA
(Ken should get another message to John Blankenship)
3. Janet: don't send FRN to anyone until she approves w/ transmittal memo

22 JUN 93

1. LK GN FRN (finish)
2. install new Stealth drivers on computer
3. time sheets (3) to Jean
4. memo to Janet on LK GN FRN
- Janet says take disk to T.J. → Frank (w/ instructions)
- Janet will FAX to Reddicord, Shulstad, Joffe, Benning
5. Dick Reddicord: talked about his report + FRN: will FAX
6. ~~[illegible]~~ Mariana Shulstad: talked about FRN: will FAX
7. drive to Chicago w/ Ken
- look over GLWQI
- notes on questions + parts to be reviewed
8. meet w/ Tom Custer + T.J. Miller about GLWQI

23 JUN 93 : GLWQI

1. Meet w/ Ken Stromberg, Tom Custer, T.J. Miller, Scott Solier, Amelia, Sheila Minor Huff
- informal ESA consultation plus FRN review parallel
- ESA: mussels, plants, eagle, terns
2. Meet w/ FWS, Tenner, Kavanaugh, Pepin, O'Grady
- Joan: overview of GLWQI
① GLWQA is interpretation of Treaty
② GLWQI provides scientific basis for objectives of GLWQA
③ Tier 2 & WL criteria new + significant; + update of old criteria

- implementation new & significant | & antidegr.
2. Ken: expectations from FWS: understand that ESA consultation is separate from FRN comment; concern that ESA not derail GLWQI because of procedural errors
- $170M/year (4 scenarios $90M – $550M): major actions
3. changes since TWG: overall not many changes (MN pleased)
- intake credits (more stringent)
- BCC list (# decreased) (BAF of >1000)
- additivity (reserved) – need comments on this
- several parts of rule moved to options in preamble
4. need support on tier 2
5. areas to concentrate on (EPA opinion) (need support where appropriate)
- WL criteria
- aquatic life (Ag; mode of action; total vs. dissolved – mussel protection)
- antidegr.
- tier 2
- site-specific mods (implementation) (& in criteria)
- additivity – how becomes implemented & enforceable
6. Ken: need SAB Report
7. Any delicate subjects from EPA (Ken: none in particular, but give heads up if issues)
8. QSAR TSD? (Joan looking into)
9. walk thru package (Lerner)
* - clearinghouse for tier 2 criteria: mechanism of use of criteria (need to solidify)
- 10 BCCs were based on log Kow only & were removed
- designated uses not discussed: but 1 standard minimum
- antidegr.: pollution prevention; 10% expenditure; social/econ. test (for tier 2); di minimus provision (for non-lux) (10% of remaining assim. capacity if <90% of total assim. capacity; EEQ for BCCs (for analysis & result limit)

offsets? (still strong support)
- ONRW: EPA says EPA can't designate uses; but ONRW-like restrictions could be placed on an area w/o explicit use designation (implicit ONRW for places w/i Basin; implicit minimum use for whole Basin)
- 21039 2nd Column (c): FAV cap
- NH_4 & Cl exclusion: 20842: generic reasons
3. FWS meeting (Shiela gone)
- ESA: can site-specific NPDES work for endangered if NPDES are State-issued & not subject to ESA?
- Research: can research answer any questions? – any expertise: outline of subjects
① aq. life community vs. WL individual
② Dave Hoffman & Gary Heinz: TSD & regs & preamble for BAF
③ Woody Hill & Gary Heinz & Nelson & Barnett & Dave Hoffman & Melanchan, etc. on WL
④ Additivity / TEFs
⑤ LOD/LOQ: statistician censured data
⑥ design flows
4. July 30: comments

24 JUN 93
1. meet w/ Custer, Solier, Stromberg
- comments to Ken by 20 JUL (30 JUL): By disk page # line #
- meet again 4-5 AUG
- list of assignments: Antidegr., Implement., Applicability for me

WEEKS 4-33 & 4-34 (25 JUN 93 - 09 JUL 93) VACATION

12 JUL 93 : SEATTLE FOR TRAINING (2 WEEKS) WEEK 4-35

1. call Jackie about TSP loan: on vacation
2. call Ken
   - Nemody report from WDNR soon; Paul Schwartz called again
   - GLI moving forward
   - no blow-ups on Lake Geneva
   - general conversation
3. call Frank
   - Marianna wanted different format for FRN (leased on 2 other notices from NOAA): thought too long for FRN; too short for full Assessment Plan
   - PRP notices: how do we know? - title searches
   - Frank will FAX FRN & my version today
4. training: extensive handouts
5. review GLWQI
6. review Frank's FRN for LK In.: comments in column
   - call Frank: left message

13 JUL 93

1. training (handouts)
2. call Frank
   - discuss changes in his FRN for LK GN
   - discuss R3 team approach to NRDA (Frank would recommend my input to team - from Green Bay, if possible): T.J. seems to agree w/ a team approach
   - FS could stay leads, but would have to convince RO that team should work on one of their cases (for [illegible] <90% of total assim. capacity; EEQ for

3. review GLWQI
4. talk to Frank & Ken about meeting w/ EPA on Green Bay: 17 AUG 93; also TSP loan

14 JUL 93

1. training
2. Ken: no info. on TSP loan
3. TSP office: 7-9 days for check to arrive
4. review GLWQI

15 JUL 93

1. training (didn't go on field trips)
2. GLWQI review
3. review final FRN from Frank: phone that ok

16 JUL 93

1. review GLWQI
2. training
3. draft assessment plan from Frank: review

19 JUL 93 WEEK 4/36

1. review GLWQI
2. training
3. talk to Frank about Assessment Plan, FRN (publish this Thursday), problems w/ Dan Sparks & CNTS for assessment $; IN MOA

20 JUL 93

1. GLWQI review (finish)
2. training
3. call Frank: date Assessment Plan

21 JUL 93

1. write comments on GLWQI (skip training)
2. talk to Frank about FRN, Assessment Plan, list of addresses: repl. Kasten w/ Reingold

22 JUL 93

1. write comments on GLWQI (skip 1/2 day of training)
2. 2nd 1/2 of day: training

26 JUL 93

1. compile & read GLWQI comments w/ Ken
2. travel voucher for Settle to Jackie

WEEK 4/37

27 JUL 93

1. read GLWQI comments; talks w/ Ken
2. talks to Paul Schwarz about Nemadji, L. Serena, Green Bay: he has talked to WDNR & EPA & others
   - I sent Nemadji memo on WDNR meeting & Giedt article
3. Pete Jopke: Nemadji: probably no NRDA: I said WDNR should talk to FWS about any NRDA decision
   - LKGN: Pete will give Pat J. & Kim M. copies; already gave copy to Tom E.
   - Interveror active
4. Reg Pallesen
   - JMB sold site to Marcus Corporation: don't notice for now if possible
   - shooting has stopped - operators gone
   - EPA AO is not out yet, soon
   - EPA R2 lawyer called: Westchester Co. site w/ Pt-shot NY
   - he will call Matt R.
   (for tier 2); on my
   <90% of total assim. capacity; [illegible]

5. FAX meeting announcements
6. make hotel reservations
7. Scott Solvers: no govt. rate (I told him yes)
8. Pete Eschenich: left message (returned call)
9. note on CWA vs ESA for GLWQI

28 JUL 93

1. check for $20.18 to Jackie (for $ advance)
2. note on CWA vs. ESA for GLWQI
3. Charlie Schmidt
   - GLI comments w/ typos in FED-X
   - GLI comments w/o typos in cc mail
   - call if don't get (told Jean to get cc mail)
4. Eva Simmons (HQ) - room reservation question
5. FAX & FED-X Columbia comments
6. finish GLWQI ESA note to Dave Wanhunton & FAX & call
7. file & clear mail
8. read NRDA: Law & Econ.
9. call Frank Kornath: left message
10. call Dave Wanhunton: left message

29 JUL 93 - SICK (NO SLEEP)

02 AUG 93 SOCK (NO SLEEP)

WEEK 4/38

03 AUG 93

1. Receipts & travel from to Ala
2. talk to Ala about GLWQI
3. Distr mail
4. call & mail Hewett
- Pat Rogers (LE-MD) (already called her)
- letter about Pg's call
- flow requests for assess. Plan (WL Mgrs. First. Bob Brown 1101 14th St. N.W. Rm 725 Washington, DC 20005 WASH. D.C. Rolling Germany
(some attorneys)
- have $6K, but need to get
- might $100K for River Bay
- postpone 17 AUG 93 meeting (?)
5. home to MN

04 AUG 93

1. GLWQI meeting (NOAA, Reg, Paul Cannon, Scott S, Dave W, Jeff, Arnie, Tom Custer)
- FWS supports agency life & WL Criteria as least current but recognizes difference in approach as in creation to: new approach should replace developed / known to be better
- Endangered species: EPA decision flag specific FWS-approved process to determine appropriate
- FAV: no toxic substances in the amount Valencia to be informal consult
- discussion that amphibians w/ fish and reptiles w/ WL
are criteria protective? any time new discharge or dep. to WD will need consultation? No/Emergency Request for
<90% if total assess. capacity, then

* letter to Columbia on Pacific Help w/ PAHs

- fish & WL expertise will be needed in Clearinghouse
- plug for biological criteria
- "ecologically important": appendix A (III) & 2/0/93 (VI)(L) 2/0/93
- ONRW; see BCC re. Barnett Major argument; add anti-degradation as justification
- PAHs (potential BCCs) even though metabolized; and BCCs persistent topic; also use appl. BAF value (trophic level 2-3) (how to handle BAF for ex. life?) (come up w/ team 2 values); add uncertainty for PAHs; (straight for carcinogens)
- TEFs (?) scientific application only? regulatory implications? better protection? NRDA?

05 AUG 93

1. GLWQI meeting (same)
- TEFs: support adoption w/ BEFs & FWS is developing info. to assist (& adopt for final rule)
- template for Nationwide: support
- alternative WL models (analogs): no: open for public comment proposal, trophic & year animals eat fish eating birds (BCNH, great horned owl, eagle, fox, peregrine falcon)
- then 1 AL & WL criteria: repeat in 3 weeks: no comment (comments to RB to give last year) (follow up on specific issues that have been addressed)
- exclude pollutants (NH4) & (TRC): artificial exemption; of 5 or 6 compounds ESA Remark: other pollutants - P (no)
- BCC vs persistent topic: make comment w/ ESA reference
- alternative WL formula w/ separate uncertainty factor: find

09 AUG 93

WEEK 4/39

1. read NRDA: Law & Econ.
2. staff meeting
3. travel voucher for MN (apply to advance)
4. memo on $ for Green Bay NRDA to Janet; talk to Ken & Jackie
5. John Sims (Clear Lakes Inc.) (708-653-1566)
- questions about Lake Geneva
- has land system & water
- $25-35 yard² quote for JMB
- $1.8-2.2 M for strip & dispose
- 10 shot per meter³ feasible w/ Clear Lakes
- 32¢ per pound for Pb reclamation
- beyond fall? another year?
- Detroit site had dead geese
- 2 shifts: 6-8 weeks to complete tasks w/ Clear Lakes
- sometimes tailings were above 5.0
- will send tape or method
- site in Brown County that we may want to look at
6. talk to Ken about PCB literature, incl. Castech cites

10 AUG 93

1. input swallow data; summarize; send to Custer
2. optimize computer disk & file
3. call Cindy Schroeder
- saw article
- talked to John Sims
- will tell Cindy when work ready to start
4. call Dick Beddicord: left message
5. new date for meeting w/ EPA: 02 SEP 93
6. call Frank Horvath:
(pw)
<90% of total assessment

- talk to Lisa Williams, Jim Kubiak, Lou Sibo, Ken Stomberg about PCB injury; Frank & I will determine if current science meets legal hurdle; let courts decide & science decide if we were correct
- ESA botanist in R3 could do Lk In work if necessary
- Frank will send EPA complaint for NW Indiana. Bloomington may have trouble putting together actual NRDA case
- we should decide course of action on Nemadji soon
7. Dick Beddicord
- plant inventory this month: are authorized for 16-18 AUG; 20 transects;
- need guidance on local area & endangered species: I suggested sending botanist to site - he thinks ok
- physical characterization - will talk to Pat Trochlell about Rapid Assessment
- EPA additional requirements?: probably not
8. call Frank Horvath: will try to get botanist
9. call Reg. Pallesen: will coordinate w/ Brad Benning
- will supply scope of work & QA/QC even if AO not out yet
10. call Cindy Schroeder: out of town that week; when restoration starts she will look at PR aspect
11. call Pat Trochlell
- her comments coming to me
- she is welcome to come unofficially
- Tom Parish may have comments
- I will send map & schedule
12. talk to Janet & Ken: E. Prairie White Fringed Orchid @ Lk In; Joel Trick to site
- Nemadji strategy - Lk In strategy - Fox R. Green B. strategy

11 AUG 93

1. talk to Ken about signing documents for ER/RB
2. read through "iss" "for 4 pls
3. FAX Pat Trockella comments to Frank
   - also questions (DOC says DOE says OL model type A PRM)
4. talk to Janet about Detroit/wetland report @ LK GN
   - she will assign Joel Frank @ Bad for MO/TN

12 AUG 93

1. read NRDA proviso
2. clear mail
3. spreads in WK update
4. Tom Casby
   ① swallow samples: $35K for everything; $12.8K: run 6 switches by clothes + 4 switches this w/ Skips (screening) (10K) plus $2.8K for Lindane Hex of $7.6K - 2 ARR 41 POT SWITCH (6K) plus $1.8K for Hex 4 Lindane; ask for cost in next proposal
   ② next year: $25K to finish this year's samples; $50K for next year swallow study; $50K for corroded PASS w/ follow-up PCB analysis where hits - or East Island
   ③ next 3 years: interactions of legal wholes in case and Custer research in toxicity
   ④ transfer $ to Custer for samples ASAP - catalog by LaCrosse
   ⑤ Green Bay, or both - interest in the comment aspect of attempt to gain Pine interest in the comment aspect of for East Island - can take feathers for sex ratio at same time
5. Dick Reddicord: someone to assist w/ plots + calculations; not happy w/ someone just to bring list; up three afternoons or MO will contact 93 (for) - 12 MON 12 PM 12 TUE
   <90% of total assim. capacity; [illegible]

6. call Frank
   - marina + bank handling request (LK GN)
   - NW IN: CWA vs CERCLA authorities; quick settlement now w/ current CWA authority DOJ case (for political reasons while DOI is there) -or- ignore CWA case (except raise references to CERCLA/NRDA) & build NRDA case (long conversation)
   - Green Bay: mass balance as sensitive link for statute of limitations
7. Day map to Pat Trockell

16 AUG 93 — WEEK 4/40

1. call Dick Reddicord: left message, got directions to clubhouse
2. talk to Joel
3. call Pat Trockell FAX: 608-267-2800; FAX directions
   - meet @ 2:00:
4. to Lake Geneva for plant walk w/ Joel + EA Engineering
5. staff meeting
   - comments to NRDA actually goes for RR
6. Claudia J-S: training for tribal LE on NRDA in Green Bay 29 SEPT 93 8:45-4:00

17 AUG 93

1. to Lake Geneva for plant walk w/ Joel + EA Engineering
2. clear mail

18 AUG 93

1. call Frank Horvath: left message
2. update SPECIES database
3. meet w/ Ken + Tom about study proposals: Egg injection ② age data ③ PCB comments ④ report ⑤ mallard Green.
4. Coast Guard: meeting in Baraboo (15th) - sending letter to Joel

5. read NRDA: Law & Economics
6. call Pat Trudell about WDNR response on PN (LKAN)
7. call Tom Custer: left message
8. call Rick Bishop: left message

9 AUG 93
1. Tom Custer
- may have $5K-20K for the goals swallows - get figures to Tom ASAP
- Tom will send proposal for $450 FR or MO
- sample to La Crosse (Dept.)
- GBFO → Patuxent to help w/ $450 (Art - for: 10 days)
2. computer work (disk reformat)
3. Frank Horvath - Egrets comments
- Pat Trudell's response re Lake Shore
- $9K for swallow samples
- potential endangered species (white fr. pt. orchid) on 1 edge of site
- will confer in 2 weeks
- how to proceed after comment?: ① finalize assess. Plan ② meet w/ EPA / FRA to finalize assessment plans ③ start thinking about mechanism for final settlement (consortium based on NRDA shield or something but w/o shield - but need details)
- Rick Bishop contact / coop. agree - we should start living says ASAP
- because move on spending $ look 2 - yes
- EPA meeting: Blankenship pre-meeting; what we want from EPA (compensation & restoration, personal, advice) re. what we can give them for EPA meeting (Oct.) following RAPs (LaMP); 5 year IN EPA complaint; paper work for meeting
4. read NRDA: Law & Economics
<90% of total assess. Capacity

20 AUG 93
1. call Frank Horvath: left message XR (see previous page for topics)
2. computer work
3. SPECIES
4. read Env. Crisis Handbook
5. call State Mgrs about aerial photos for LKAN: 1990 Regional Planning Commission (4 sections); Racine City Racine Cty; Bob Bibel - Lower Pecatonica (414-547-6721 Waukesha) SCS for County maps in Walworth County
6. call Joe Berg (EPA) about ↑: left message FAX'd 3 letters FWS-Reg ONR → FWS, FWS-Reg
7. return call - Paul Delaney: left message
8. looking for Jim Hurlbut: letter WDNR → ELPO (Waukesha)
9. Iowa: Date's closed for 11 JUN & 11 June are actually 11 & 21 JUN
10. AO (EPA) for pd from Frank (Draft)
11. FAX response to NRDA / Revising Port. questionnaire

WEEK 4/41
23 AUG 93
1. talk to Ron & Sara about purple loosestrife bio-control - how involved we & rel. agencies should get; also about NRDA strategies to work w/ EPA
2. call Frank Horvath
3. computer jobs
4. staff meeting - acting Tuesday
5. call Frank Horvath (see previous page)
- call Reg Nelson about survey
- Frank will send comments ↑ FRN list - I will finalize assessment Plan; mallet point agenda for Marina; conf. call ?? FR w/ Frank
- Pete Eschenroeder XM: working for next year; Oct. 29, 1993 to DEC; links to actual NRDA

- Frank will check w/ John Mullins about contract requirements for Bishop
6. Paul Schwartz: I FAX'd copies of WDNR comments (2)
7. FAX'd Frank: article; copyrighted page
8. call Mariana Schulstad: she will call Kahn about next steps ASAP, incl. hydrologist & Laine Beddicoid get in touch w/ me & Benning
9. call Dave Pfeifer about Green Bay strategies
- LaMP/RAP - good idea
- TMPL - probably not
- general conversation
10. call Joe Berg (not there): Dick Beddicoid: not there left message
11. call Reg Pallers
- told him about plant survey
- Montgomery Estates & American search for assets (EPA)
- we won't finalize assessment plan until Brad sees: if PRPs submit our draft assessment plan to EPA as work plan, we will finalize our Assess. Plan per EPA's work plan requirements
12. call Frank Horvath: left message: conf. call WED about finalize
13. call Mariana Shulstad: not there
14. call Brad Benning: finalize Assessment Plan once PRPs submit (it's?) work plan; shoot for ~2 weeks to start assessment @ site

24AUG93
1. swallow database fix & update
2. talked to Jackie & Kim about transferring $15K to Custer for samples (memo from Janet to Tom w/ cost code & ceiling
3. call Tom Custer about $15K transfer next week & Tara's availability for P450 work @ Patuxent for week+
4. signature for Janet
5. Tom Eggert: Lake Geneva comments 608-267-2768 (FAX)
6. Tom Breckenridge (Cleveland Plain Dealer)
- Lake Erie trap & skeet club questions (P6 problem for humans? for FWL?); questions about Lake Geneva
7. record all swallow sample labels (frozen & snap frozen) w/ Tara (except those which Randy took)
8. type in swallow data info for chain of custody & transfer to Tom

25 AUG93
1. type in swallow data
2. Pete Jopke: will be hammering out strategy on Nemadji in next couple of weeks
- State Authorities: FWS intent?
- FWS will initiate letters for trustee counsel regardless
- FWS would view a WDNR statement that NRDA is mapping across the board, as hostile
- FWS willing to work w/ WDNR as co-trustee
3. Paul Schwartz: any other letters on Waukegan Harbor (WDNR)?
- Tom may crash next Coalition meeting
4. memo w/ sample summary & next activity summary to Tom Custer
5. Frank: 2:00 conf. call w/ Mariana
- finalize assess plan & decision that no significant changes

- Montgomery Estates Atty. - will provide comments - probably late
- DOJ comments on Grand Calumet draft preassessment screen; [illegible] didn't want anyone to see
- Nevada; memo to Frank
- FRGD memo to Frank; meet @ 2:00 01 SEP 93; meet w/ John later

6. Conf. call w/ Mariana Shulstad + Frank Horvath: LKGN
i. Proposed plan of action: - I will draft-finalize Assess. Plan
- I will draft memo for AES that no sign. change
- Frank will shepard thru final signatures by Sam
once EPA/PRP work plan (for site assessment is ready (PRPs may submit our draft assess. plan to EPA as work plan
- we will sign final ~~[illegible]~~ + transmit to EPA + PRPs (+ WDNR?)
- we will schedule assessment work w/ EPA + PRPs for ~ September
- once assessment info is in, we will meet w/ EPA + PRPs to discuss ① remediation/restoration planning + implementation ② binding agreements (no CNTS w/o binding mechanism to FWS)
- Actual Remediation/Restoration to occur ASAP, depending on time to complete above + engineering considerations

ii. conversations w/ Brad Berning + Reg Pallesen: AO signatures are unlikely, but will still ask for work plan for site assessment (signed); work plan for remediation is later. Brad finishing up a site this week - available for LKGN site maybe ~1 week from now (no committment)

<9010 of [illegible]

iii. I will draft-final assess. plan + decision memo: we will look internally; then let EPA look at; then finalize (maybe let PRPs look at final draft for purposes of scheduling)

7. call Ron Erickson (612-725-3417) about dBASE for aquatic plants
3609
- St. Petersburg: Buck Reed: 813-893-3867 (no answer)

8. call Rich Bishop: left message that we have the $65K

9. read Env. Disp. Handbook

26 AUG 93

1. work on assessment plan
2. call Frank Horvath
- draft-final assessment plan to Frank + Mariana today; then EPA/PRP
- I will draft brief memo
- Mariana can revise before final when returns
3. call Mariana: approved
4. Joe Berg: meet on 03 SEP 93 @ LKGN to confirm plants - probably not white-fringed prairie orchid
5. Tom Custer
- get weights, Courtier, LAT/LONG to Randy
- may be able to get $800/sample 3 months turnaround
- next year Tom would like to be involved in front end of cormorant study; can help out in pinch @ other times
- Fox R. flood: next year PCBs↑?
- FAX weights + info. for catalogs
6. FAX revised page 6 + 7 of Assess Plan to Frank + beginning of briefing memo
7. briefing memo/response to comments for LKGN Assess. Plan

30 AUG 93

WEEK 4/42

1. review draft-final GLWQI comments
2. call Frank about Assessment Plan
3. staff meeting
- suggest c.o.c signoff unless unusual non-routine exception
- see Joel tomorrow
4. remind Jackie about memo for $15K to Tom Custer
5. clear mail
6. notes for conf. call w/ John B. etc. al. (Green Bay EPA)
7. John Simms (708-653-1516)
- will get tape to us
- talked to JMB atty: seemed like not this year
- I said ASAP w/ engineering caveat
- he says he's cheapest: I said no reason for me to dispute, but up to IRPs as long as gov't. requirements met
8. Frank
- will FAX me Mariana's LKGN comments
- I will FAX notes for conf. call
9. Dick Beddicord
- Joe Berg to LKGN on Fri (Th night): arrangements w/ Joel
- I will FAX draft-final Assess. Plan in next couple of days; final after response to comments
10. read contents of OPA
11. read Env. Diag. Handbook
12. Conf. call w/ John B., Frank H., Hilda: went over notes; John wants to light a fire
13. incorporate Mariana's comments; memo for transmittal; cc mail to
14. told Joel to look for watercress at site

31 AUG 93

1. draft letter from AES → EPA, Consult to transmit "draft-final" A.P.
2. FAX + CCMAIL A.P. + Lt. to Frank
3. go over WAG info w/ Ken + Tara
4. respond to LKGN comments
5. Janet signed memo for $15K to Custer
6. Tara will transport snap frozen swallow samples to Custer this weekend
7. call Pat Troshell about LKGN comments: not there
8. back up hard disk + critical files
9. wetland plant dBASE file from Buck Porter, NWI, Sarasota, FA (813-893-3867)
10. Randy Heinz
- ARR + POT LAT + LONG
- no comments on GLI from Tom

01 SEP 93

1. respond to LKGN comments
2. Dick Beddicord: EA Engineering will not come FRI - just us
- call 1st thing TUE morning w/ answer
3. told Joel to look for watercress, as well, + document (pictures, sample)
4. Randy Heinz: will send draft catalog to me in RO
5. drive to RO w/ Ken + Tara + Janet

02 SEP 93

1. meet w/ John, Janet, Ken, Tara, Frank (Janet)
- meet w/ Meyer (w/ DNR) informally and formally (John)
- MOU/MOA - general
- we need access to NPDES records, pre-NPDES info, mass balance info

- safety issues from Mills
- need Waste contact too
2. catalog from Randy Henry for swallows; send
3. Meet w/ EPA (Bryson, Jensen), John, Mike, Brad, Jeff, Janet, Pat, Jake
- Meegan mtg
- to R. Lee B.: we will talk to Mayo, then move forward
① Bryson/Wikel meeting: info. share (not for us)
propose John + Janet at meeting
② Jensen letter
- NRDA authority: Frank
- EPA: MOU for claim splitting critical (will send priority split document)
- How can EPA + FWS help each other (RAP/DRA)
- EPA: internal debate; convince WDNR that arsenic w/ report escalation (safety procedures contexts); don't, Val get together (2 months); call Lynn tomorrow for meeting
- FWS needs: technical access to mass balance w/ context: Dave Brakke + Jon Bartley; pre-NADES info. on discharge to Lost River (Wisconsin lower plant from 40's forward) (Comprehensive Basin Report)
- EPA will talk to WMO; work group w/ us
- FWS: Econ. scoping study; need more $ to follow; tie in w/ RAPs + LaMPs
- EPA: how long for proposal to EPA (scoping proposal) for $: 1994 $ starts in Oct. of this; leverage involving Brad w/ EPA $ + nice round

- short proposal towards remediation/restoration of habitats, esp. wetlands (in units)
- RAP/LaMP connection
- send last use curve info. to EPA
- comment on draft RAP that WDNR/FWS should do NRDA
- MOU/MOA w/ EPA + FWS (Region 2 legal person: signal w/ press sent (we will draft); also Commissioner letter
- we will: MOU/MOA proposals, comment letter, call Bartley
EPA will: RA, WDNR work group

- GLWQI
① EPA consultation: have draft species list to EPA (from Barrington): ecologically important: may affect water toxicity data; site-specific (probably always); post-issuance concerns or new info. (CWA/ESA conflict); NH_4, TRC, H_2S exemption (controlled elsewhere); PAHs as BCCs; schedule for consultation; new species/cont. related; national MOU/MOA or WQS; EPA - limit consultation to close issues, not all CWA
② Comments: 5 issues; process; style; support
③ open channel EPA ⇔ FWS for consultation
- Next meeting in Chicago (another NRDA - NWIN?) (DEC 6, 2)
- NWIN discussion: CWA → DOI should not prevent NRDA → DOI unless DOI perceives that NRDA trying to be attached to CWA suit; explain difference to DOI + do not attempt to attach
- GLWQI benefits - non CWA - trying to beef up

03 SEP 93

1. talk w/ Brad about NRDA Budget. Need + BFO concern
2. response to LKFN comments
3. RO briefing on GLWQA (Sam Marks, John Christian, Dave Hankwitz, Ken Thornbury, Dan Bancroft, John Blankenship, Brad Johnson, T.J. Miller, —, —
   - intro: Dave W. + Pat.
   - States know about our comments?
   - Dickens: exemption for sea lamprey control?; none needed in GLWQA: FWS to EPA issue in ESA context; no new authorities in GLWQA
4. talk w/ Brad about IN issues (ODT/EPA/IDEM/BFO/RO
   - concern about using NRDA $ in some fashion as base of $ - letter tracking: Boyce + Dennis wide implications; fractions letter RO/BFO

07 SEP 93

WEEK 4/43

1. computer glitch: fixed
   - Talk to Jackie: may want to buy upgrade new system next FY - talk to Pat
2. Tom's proposal to Jane for RO
3. staff meeting
4. Claudia Johnson - Schultz: message left (will wrap)
   - 8:45 - 9:45 plus ½ hour questions
   - will send letter
5. fuel: not an endangered species: Lake Sturgeon, Spiny Mucket
   - did not see interest; need aerial photo to be to host sewer
   - will call + get from Milwaukee research

6. John Estvick (surface water quality) (OEPA) 614-644-2886
   - letter: citizen to Mazzalaur; resp. fr. OEPA director; not satisfied
   - want to know about LKFN
   - gave name to IEPA
   - Bay Lake Inc. - 1500K @ L. Erie site: Dover gun club (Cuyahoga County)
   - Bruce Yurdin (OEPA): reports to Lorain gun club 277-782-0610
7. response to comments (LKFN)

08 SEP 93

1. swallow hopes down @ Boyce
2. response to comments (LKFN); FAX / COMMENT to Brad
3. Rich Bishop: [illegible] message
4. Bob Travis: update on Nevada; WQMR + log time effects
5. memo to Jackie for new computer

09 SEP 93

1. Rich Beadle said
   - confirm plant species
   - looking @ "draft final" R.I.
2. travel vouchers for MH
3. read new issue, Lookout
4. call Jim Litton about GP mass balance info: left message
5. Ken Vaas: can mail TSWAL samples + equipment
6. call Randy Heinz; Tom Custer: mail early part of week
   - FBD X; dry ice followed on cooler; mailed box
7. Rich Bishop: Dave Brad in Kevin Citos; start up in summer; Bishop called to Russel - pasture appeal; Dan Beach will call

P. call Floyd Horvath: on travel
9. Lou Sibo: will come up to talk about NROA on evening of 22nd SEP (morning of 23 SEP)
10. appointment w/ Coast Guard
11. SPECIES

13 SEP 93

WEEK 4/44

1. 5 hours off (comp) for local respite
2. Jackie Dufour: Diane Evans Cates says departure cost of flight from Buffalo → Seattle → Chicago; wants cost of Buffalo → Green Bay flight ($88.00); Jackie unable to make; they will probably make decision this week; Back (partial or full) should show up next week
3. and Bimini Club info. + Department of Tourism guidance + policy; also my written words
4. write memo to Jackie on Seattle trip

14 SEP 93

1. finish memo to Jackie on Seattle trip
2. performance evaluations (2) w/ Ron Stromberg (Grand Lake) award of ~ $950
3. By Albert
- talked to John Rahn: EPA will send info. request to Anheuser to obtain financial info (front for Busch Bros. of Pontoon Beach) Rahn probably has agreed
- Chuck O'Connor (atty for Montgomery Watson) probably has agreed (w/ DNR) to participate - still most reluctant of PRPs
- Marianna + Ray have provided Mont. Co. w/ additional info. - not talked specifics w/ attys about draft consent order but written work plan = assessment plan w/ or w/o beyond 40

- Dave McCormick (Atty in Chicago writing article on PCB-shot trap shoot clubs (for Field & Stream?): questions about LKCN including possible govt shut operation down; thought about calling Elvey, but talked out of it (don't bother him - illness + minor player); will probably call me; he is legit. (probably); Reg. gave my # but said wait 'till he talks to me
- Rahn intends in meeting or conf. call w/ Ewell Oct. to wrap up plans; Reg still pushing for assess. complete before bad weather
- we will wait to hear from EPA before finalizing A.P.; Brad happy w/ draft-final; he sent Barbara Holbert plate work plan language suggested resp. A.P. by reference; he will probably call me to confirm final ok
- talked Reg. Lennie (Clam Lakes) very active
- PRPs likely to remain nervous about taking any action until we give shield from liability; discussed the level of shielding we grant will be directly proportional to level of authority binding PRPs to require voluntary activities; no CATS before voluntary complete or consent decree (or similar) with us; matter appeared or contract not to pursue NROA if voluntary complete is fine; Reg. agreed, but said more negotiation likely will be required
4. call Frank Horvath: left message
5. begin personal memos + documents
6. Coast Guard
7. Dave McCormick: PCB-shot issue; Northern Lakes; general questions
P. Lou Sibo: move meeting up 1 day

9. read env. disp. handbook

15 SEP 93

1. Cindy Perry
- CA Regional Water Control Board: Order for site cleanup (cease & desist order): 3 sites
- will mail copies
- update on Lake Geneva
2. call Linda Holst (Fox River)
- Dale called Lynn Wihel: Wihel worried about NRDA & EPA giving info. to us to use vs. WDNR; Dale will be cautious, but still on agenda
- work group will be formed eventually
- EPA will meet w/ WDNR first (soon)
3. call Frank (out until MO)
4. talk to Ken & Janet: extensive Fox River discussion
- Janet will contact D. Meyer ASAP to inform of our decisions
- I will draft co-trustee letter ASAP
- I will begin working on briefing for Sam
- Sam needs to know ① legal warrants ② informal political ramifications ③ formal political ramifications
- Presassessment Screen ~6 months
- concern over EPA/WDNR deals
- Janet will call John about contacting Dale about EPA meeting
5. David Bush
- then July '94 current position (then another year position)
- 977 Goodrich Ave., Apt. #3
St. Paul, MN 55105
- mailed

6. Carol Dixon

16 SEP 93

1. field: cormorants (Spider d.)
- pick up stakes
- pick up bands
- Rock d.
2. read GLWQI comments (signed FWS)
3. Ken Stromberg: look into Pb-arsenate at house since orchard: WDNR

17 SEP 93

1. copy final, signed FWS comments
2. call WDNR about pesticide mixing sites for cherry orchards (any @ house site?)
- Tom Eggert: not there
- Kim McCutcheon: not there
- Mark Griesfeldt (Chief, EERS): in from 11-3 today
- Robert Strauss (Env. Repair Unit Leader): look @ history of site (Pb-Arsenate): test well & soil (Pb, Ar); large water tower or green staining; talk to County officials; # of sites in Door Co.; Bruce Urban (District 414-492-5860)
- 414-492-5860 Bruce Urban: no info. for Kewaunee Co. (all Door Co.; Jim Rayburn 492-5864 until 11:00
- Jim Rayburn: look for well w/ soil samples; if residential well, look for water tank; soil samples near well
3. look at aerial photo of LKGN from Southeast WI Regional Plan. Comm. (from Joel)
4. env. disp. hand.

9. 20 SEP93

1. computer

WEEK 4

1 2. staff meeting

2 1. 3. get dry ice & ship samples & call MISS St.

3. - 4. review Draft DOI National Perf. Review for NRDA

5. call Frank: will call back: IN/OH oil spill w/ endangered mussel; OPA fund $; look for CC mail on LKGN

2 6. Dave Warhunton: left message; returned

7. Janet: John B. said: talked to Dale; John & Dale (+ staff) will meet w/ WDNR ~ Oct/Nov.; WDNR still very concerned w/ FWS & NRDA

8. read env. disp. handbook

9. meet w/ Ken & Tara (morning)

3. - possible Duluth trip beginning of Nov.: check w/ Nemadji

4. & also Duluth as site for NRDA

- plans for week

- Ken will call Don Rusch about ecor

10. SPECIES: mammal; update birds-seen

21 SEP93

- 1. memo to Frank on NPR (Bennett Govt.) for NRDA

- 2. call Tony Giedt - couldn't find it

- 3. call Tom Eggert - not there

4. call Shelly Hall: DOI (Ø); DOC (1+); 3

5. - Tony Giedt: 508-281-9289

5. call Tony Giedt: (Montrose; Elliot Bay; New Bedford Harbor; Blackbird Mine (Columbia R.); Exxon Valdez

- talked about Lake Tenera & Great Lakes; NOAA

6. SPECIES: BIRD

7. swallow boxes down @ NOR

8. read article on Pb-shot from Cindy Perry

22 SEP93

1. meet w/ Ken & Lou about NRDA & Lou's new position

- Lou will focus on NRDA, but not only responsibility

- NBS discussion: NRDA might move to NBS (regulatory authority too?)

- LKGN & Nemadji examples

- NRDA process & strategies

- Lou can shape NBS injury determination program; will have to screen work

- Science vs. law; proof vs. lack of alternative theory

- State of injury (for free-ranging birds) science: death/path (Pb, oil, Se); injury/path (Hg, Cd); lab (OP pest., SALT)

2. note to Frank on list of topics (FAX)

3. Diver's Club: will check again next week; no problem - just suspension of charge ability

4. 1st application by R3 to OPA trust fund for NRDA: Fish Creek, IN

23 SEP93

1. work on performance standards: to Ken

2. talk to Ken about HEP; WDNR's desire (implicit) to pursue only State authorities regardless of Fed. actions

3. Cathy: EPA R2 looking for pilot for building projects; have Jackie call; she will send topics

4. Jackie & Janet: great idea

5. read Scientific American

6. [redacted] to Jackie to call Bonnie Peters about Seattle trip
- Jackie sent to Treasury today
- disallowed total until storage account; Jackie called PPS account will arrive ASAP
- disallowed entire flight since Don't Feel Like It have to pay for my trip home from vacation; Jackie replied that vacation planned first + leaving was mandatory
- Jackie asked me to get price different from airlines
7. call Travel + Transport: today: Green Bay → Seattle: $1182 (Govt) $728 UA
Buffalo → Seattle → Chicago: $530
8. call UA: Green Bay → Seattle → Green Bay: July 11, 24, 1993
no apex fare to Seattle
$353 lowest: discounted (June 8 purchase: Chapter)
- talked to [redacted] UA Express (1-800-241-6522)
$576 next $530 next (most likely)
$560 1-ways
- < 530 unlikely because very restricted fares
- no way to tell what was available
9. memo to Janet Smith on Travel

WEEK 4/48

27 SEP 93
1. swim

28 SEP 93
1. 8 hours late (drive from ME after pick-up)
2. prepare for NRDA talk ② Carole Hudson re Tribal LE, etc
3. note from Ken on Nenadji Gen Counsel conversation

29 SEP 93
1. copies of handouts for NRDA talk; slides
2. NRDA talk - Q + A
- BIA, EPA (Charlie) Tribes interest in Green Bay NRDA
- gave my + Charlie's #
3. Jackie: no word from Bonnie (she not
4. call Frank (about Nenadji): left message
5. call Paul Statum about Nenadji: left message
6. Frank
- call @ 2:00 pm
- Th 23rd Jean Sutton: Nancy Sprecher (DOJ) (Washington, D.C.) - file civil penalties for EPA response; DOJ wants decision this week
- also talked to Wakiyma - Gen not on case (necessarily); co-trustee letter to USWS for fire; claim based on report fire
7. call Matt Richmond for Nancy Sprecher's #: 202-574-4160
- also update on Lake Dawn
8. call Nancy Sprecher 202-514-1308 (Env. Enforc. Section)
- left message
9. call Pete Poppe: left message
10. call Robin Jesse: no longer at GLIFWC; left message for Kim Vanderhoop
11. Frank
① Nenadji: 4 tribes definite; Marcia will probably be assigned; may want to call Shelly Bell
② Lake Harvey: send ccmail w/ charges
③ conf. w/ Stromberg!
④ Tribal interest on Green Bay
⑤ Natural Resources
⑥ SETAC
⑦ REOA Tony for NRDA $
⑧ Frank will discuss my comments on [illegible]

12. RK: filed prof. stnd. rel. policy pkg: few mins change

30 SEP 93

1. talk w/ Ron
- perf. standards (minor change)
- OFS problems: work towards meeting of NRCA people; has OFS priority
- FWS attorney: work through D.C. to charge OFS penalty
- call Rick Bishop about FFY93 letter to Resch
- new hunting (w/ Brad + Jackie)
- strategy
2. call Rich Bishop: secretary took message for Rick
3. modify perf. standards
4. call Bob Hope: left detailed message
5. Nancy Spore (DOT)
- DOT will charge as OSA penalty for EPA; closure this summer; met w/ OFS yds + discussed Nanadji: possible closure or DOT claims - in fact it passed w/ Prattes, the DOT claims closed: letter to Kelly + Jean
- no response from DOT on paper yet
- Mark Carelli: U.S. Atty. in Madison also wants all claims arising from single incident must be settled at once
- would like DOT response in next couple of weeks
- I said fed. work done + just need to transfer $ to $ note; also section coordination w/ other trustees
6. call Marcia Shulstad; out; Joan Sutton; transfer to Marcia
- need letter from Nancy Spore
- Marcia on case
pursuing case

- mail FAX (also draft CWA complaint)
- read rejoinder from FWS; also summary of data; [illegible]
7. end of FFY desk backup + optimization
8. read Nanadji letter + draft EPA doc
9. clean desk + mail
10. call Nancy McClain re: 8 of SETAC (Houston) flights:
CHICAGO → HOUSTON → GREEN BAY, $339 (TWA)
GREEN BAY → HOUSTON → GREEN BAY $429 (UA connection to Chicago) (ORD)
- explain previous problem re: Buffalo - Washington
11. memo to Jackie on Houston trip (w/ ref. to Seattle trip)
12. memo to Jackie on Seattle trip w/ attachments

01 OCT 93

1. mail ccs of memo to Jackie on Seattle trip
2. read Nanadji letter RS → OFS
3. call Bob Hope: left detailed message (re: need his call)
4. review letter (Smith) → Willet (Van Le Vine) draft to Ley
Jackie (no revision)
5. Pete
- short time frame on Nanadji; Pete will give (Jim?) McKay of WI DOT my #
- said to Kelly: answer re: trustee letter w/ "no"
"just assess"
- response: CNTS by FWS; Pete w/ committee to NRDA activities (by): about meetings w/ Fish Coll, etc. (necessarily)
- Pete will send Tox. info. (disk + cites) after Nanadji re the above
- after this in other way - nothing personal; done
I would be happy to - possible position soon
- OFS can at this point, Rick [illegible] anything in Denver

6. Nemadji co-trustee letter
7. call Frank
- has LKFR file
- will do NEMA file
- Marcia: 70 cases - little time; doesn't want to embarrass WI; wants $-figure from someone w/ expertise
- lets talk to economist for best guess
- $100K alone; add other trustees wishes to that
- conf call w/ Marcia MO @ 1:30
- if Marcia doesn't have time, fine, but don't make lots of work for us either
- briefed on Joffe & Spencer conversations
8. call Brad Downing: detailed message; finalizing A.P.
9. call DC about $736.70: they will release hold on card
- paid (mailed)
10. Rich Bishop
- will send 2-page proposal to Don Rusch: FAX draft to me today or MO
- "Preliminary Examination of Potential Lost-use Values for Resources in the Fox R./Green Bay injured by contam."
- July '94 - June '96
- 10% skim
- focus groups w/ small survey (n=500 or 1000)
11. call Ed Massey - Sentea about detailed bill: will send
12. look for WI map for Tara: found
13. Coreldraw images w/ for Tara
14. read env. disp. handbook

04 OCT 93 WEEK 4/47

1. talk to Ken
2. documentation of Center's decision
3. staff meeting
- new director: tape
- ethics
4. Rich Bishop: Rusch okd: I okd: ball started (Rusch)
5. call Don Rusch: busy
6. research admin & travel regs; memo to authorizing officials
7. Peter Eschrich: returned message
- he will distribute my memo on "reinvent govt."
- thanked me for effort
- they're worried too - trying to end up w/ document that all can live with

05 OCT 93

1. finish memo to authorizing officials of Seattle trip; sent
2. call Karen Vermillion: left message
3. call Frank
4. clear mail
5. Karen Vermillion
- update on DOJ action
- she will pass on info.
- she was unable to arrange joint-trustee biologist meeting
6. Spin Magazine
- name of FWS person @ Nemadji (PDA2)
- any trouble w/ EPA/Steadman or GF/La Fleurie? no
- any samples destroyed or unexamined? no
- any signs of WL drowned w/ chemically damaged: no (Steadman said yes?)

7. call FDS [illegible] - call Public Affairs
8. [illegible] up to Pat Tobin & Angela Gonnella (message)
9. call for Dalfort (PA): talked to someone else
- just an FYI
10. Jackie was called by Frank Entz after RO called D.C.
- they want documentation of my personal notes from Buffalo to Green Bay
- send memo to Jackie w/ response (done)
11. send through Public Inquiries
12. send "Ocean Policy" from congressional committee
13. look @ Earthweek 2000
14. call Embassy Suites: left message 202-775-2500 w/ accountant
15. leave slips for 10/7 & 11/10 to K

06 OCT 93

1. talk w/ Ken
2. Env. Disp. Handbook
3. Volunteers
- Tara will organize
- Jackie will check w/ RO about tool use
- I will call Pat Yost about Tara starting & start for sure
4. Cindy Schaefer (Fish & Game)
- update on LKGN
5. call Brent
- no cook: call: maybe guidebook tomorrow
- Marcia has no idea after NEM (comment only to pass)
- A.P. LKGN - finally soon: working on software
- language about State powers
- Dan Sparks (Nickel) comments on NPR: NRDA - similar messages, different style/words
personnel U.S.

07 OCT 93

1. in Lodz (5 have AL: house closing) KAY's mail receipt
2. Vanessa Bowen (Embassy Suites 800-628-0611): returned message
3. Pete Jopke: returned message
4. Env. Disp. Handbook
5. talks w/ Ken & Tara about LLBDM
- 3 options: in-water COF, remove w/ HSCA exception; no-action
- need to protect NR liability for time of injury
- Tom Hoff has photos of LLBDM from 50's or showing Beg Island culpability
- MO meeting: Ken will attend
- TH review public notice: D will attend
6. Sue Gilbertson
- my name keeps coming up on Fox R.: FWS NRDA actions? yes.
- she not happy w/ Bruce Baker
- Sue tired of sending $ for things which don't work
- need copy of memo: EPA charge w/ my involvement on Fox R. / LaMP / NRDA
7. Pete Jopke: has info. for me: stop by tomorrow @ 9:00
- 60S "60 Minutes" may do story on Menadji

12 OCT 93

WEEK 41/48

1. memo to FWS Env. w/ receipt attached (Jackie's suggestion)
2. talk w/ Ken about LLBDM, Menadji, Fox R.
3. staff meeting
4. Fox River / Green Bay letter memos (done)
5. call Claudia G.-S. about Indian co-trustees: left detailed message
6. Joel: grad. student @ UWGB who volunteers: no thesis but wants to work on Lake- our NRM staff?

Chapman T. Hall IV

7. Charlie: Ella Inglis, Manager (Attorney for Siwash Bay)
P.O. Box 910
Kahoma WA 54135
Alice Potatoes, Oneida Chief of WA
Siwash Business Committee (Temporary but adequate for now)
Oneida WA 54153
Joseph Raphael, Siwash Tribal Bd of Directors Chairman
Rt. 1, Box 135
Sutton Bay, MD 49682 (Visiting nephew upon 1/2)
Sarah McFeeters, Elder, Pres.
Captain Stanwood Coast Guard Station Magnet Cove, MD
185 E 3-mile Rd.
N.S. (MD) (cc) L. L. Ward, MD 49783
Off - Parker
Bay Shore Exec. Council
Rt. 1
Bruneau, MD 49715
2) Bernard Bonasola
Siwash Tribal Council
206 Dressing Lane
St. Ignace, MD - 49783
(cc GLIFWC)
(cc BIA Robert Nelson 612-373-1142)
(cc Media)

P. Frank
- call Robert Nelson for tribal names / addresses
- no big changes on Nowadji; will summarize this week
- has letter from Madison U.S. Atty - will FAX
- ask Mark Rabe about # of fish & efforts
necessary

- A.P. summons to Nancy McClain; signed today probably; referral language for Siwash Bay
- Mark A. Cavelli: Asst. U.S. Atty - (608-264-5158)
- Environment agency
- last Friday: Bruce Wardean (BIA) 202-387-3508
1849 Connecticut Ave, N.W. D.C. 20009
- June 1016
- Families on Siwash Bay: interest in action in Region 4 ruby cast (2) supportive documentation
- Boy Point/Siwash Bay - Marvin interested; told about case
9. call GLIFWC for Director: Jim Schlender
10. FRFB or twelve package to Janet
Charles Wilson MPCA
Rodney Sando MDNR

13 OCT 93

1. fix lost clusters; explain shutoff to Cathy Cames
2. call Mark Nelson about Rules for Nowadji: no answer
- will FAX list, showing on relevancy etc
3. RE - has written approval w/ Gary for analysis of
- consent agree from Cat D. (1990)
4. address to Frank (e-mail); conf. MPCA + MDNR
5. call Mark Candi about Nowadji time-frame: left message
6. copies of Nowadji Report to Frank (2)
7. extensive conversation w/ Mark Rabe (MDR)
- Nowadji: pass Legislative Work for #1 type effort
Gillnet; Values easier
- Tor R. / Siwash Bay: interest in eastern Lake Bond named as Trust waters Bay Caspian (copy);
eradicone = stream to large body

8. Ken: recycle 2 proposals for NRDA
9. call Dennis Pratt about Nemadji: left message
- # fish killed
- # x type of fish normally present
10. call Colleen Caldwell
- how much spent?! $
- how ~~[illegible]~~ many fish killed/injured } will get back to me
11. call Frank Horvath: Nemadji
- draft to Sheila Huff
- surname from Marcia Kimball
- send this/next week
- Colleen helping w/ figures; we should make sure she gets $
12. call Bruce Mannheim (EDF)
- possible suit vs. DOI on regs
- possible actions to compell reluctant trustees
- would like copies of co-trustee letters, etc.
- would like name of Public Intervenor
13. fence posts to storage (Trusk)
14. copy of WI DNR "Interim Finding" on Nemadji to Frank
15. copy of '94 perf. stand. to Ken
16. read Env. Disp. Handbook

14 OCT 93

1. Mark Cameli: OPA case filing - cover DOI same time (FWS/Tribes)
- co-trustee letters this week; probably allow us to lead, but could insert trusteeship might be necessary to separate if delays wanted
[illegible]

- Colleen to me next MO on # of fish impacted in stream; we will assign values
- I will attempt to get back to Mark late next week
- I said (unofficially) FWS: probably not enough FED resources to justify full blown NRDA; data probably good enough to leverage $ 122 settlement
- I will send reports
2. call Frank
- data good enough for direct claim (Nemadji)
- A.P. signature this p.m.
- how get info. to Marcia: transmit info. w/o source - or that Cameli called me
3. call Marcia: left message; transmitted info. - ok
4. reports / note to Cameli
5. re-read Nemadji Report
6. re-read Seattle trip memos
7. call Mike Willet (612-725-3590): left message
- he called Gail Alley
- Mike hasn't read everything yet
- Mike believes that Center only needs cost of Buffalo → Green Bay ($0) & he believes they will pay whole thing. (they just need info for records)
8. memo to Gail Alley on cost of Buffalo → Green Bay ($0)
9. changes to memo Janet → John & letter (FRFB)
10. Dennis Pratt: can't talk about Nemadji (in litigation) - refer to Pete Jopke
- no baseline data from WDNR on Nemadji - hard river to sample

1. Env. Disp. Hand.
12. sign perf. standards (7/93 - 6/94)

18 OCT 93

doc PRP search — WEEK 4/49

1. read EPA guidance on CERCLA info. request (subpoena)
2. close out mail
3. call Hank about final A.P.
- send A.P. to mailing list
- Nevada R. letters: OEA report w/ FWS for [illegible] tuesday
- Trial Creek: OEA report
- Hank vote to limit Molly Barkley on NROA - 5":
EA + OEE Evolving Bond;
- Dixie Peak & Lemhi sports [illegible] of issue w/ paragraphs on delegation (today)
- Nevada R. Letter: Karen - Wednesday
- call Navarro, Rep., Brad — $150K [illegible] NROA proposal [illegible] legal for OPS
4. staff meeting !!!!
1. AHHHHHHHHH . . .
2. SHUT UP!!! BLAH, BLAH, BLAH, BLAH.
$5/MAN
5. call Navarro: left message
6. call Ray
- A.P. final
- [illegible] Mr. Tyrone in meeting
- [illegible] Jake
- [illegible] Marcus Peters
- agenda for all face from [illegible]
- interest in Deer Bay NROA — will look at this more closely
7. uniform order to Doris
8. FAX note to Hank on Pinedale briefing
9. send final A.P.: (LKFN)
10. Ann Arbor (Oakland Co, MI)
- hot tallows w/ Tom Custer: Madison Range NROA (PCBs)
- interest in Madison R. work: 50 plan PCB bit spots: 15 yrs
50 mile closed fishery (estimated loss)

2 | 24715
8 | 900 112,500 ft
20
4
112,500
22
2475000
2250000
223000

- general NROA conversation
11. send NROA proposal info.
12. work on FY 94 NROA proposal
13. call Pete Popple: #s + time of PCB release: left message

square → State Rule of Digger Gandy Toe (log load)
→ NR 101 (1994) - monitoring
→ Hardwood Post Bandy
→ NMR
→ Watermelon Creek (general)
90,000 kg de-listers
20% other sources
45 - 135 R kg tot PCBs
(4 de-listers)

19 OCT 93

1. work on NROA proposal
2. letter to Molly Barkley presentation to RS: update about NROA support (Catalina)
3. Pete Popple
- will send FRCB data + info on disk (talked to Bob-ok)
- 90,000 kg PCBs from de-listers to FK ± 50%; 80% of total;
4-5 primary de-listers
- Nevada R. letter, soon (card copy)
- LKFN A.P. (card copy)
4. David Mentonik: LKFN (Midwest Outdoors Magazine)
- hunting info: game Cindy + Rojo map (today)
5. Janet (to Ker 406) on Fox R. Coalition + ILLBOM (last week) meeting
1. ILLBOM - final plan December
2. Coalition
- discuss funding of characterization study ($40K/FAP; WDNR ½)
- discussed non-point
- Secretary: supports Coalition + cooperation; not lead agency;
if fails FEDS, WE R, NFO or considering other options;
FED approach would be more expensive w/ less local support
- WDNR will help pay + attempt to secure FED $
- EPA: Lon Davis, David, Dona Reagan, Gary Voelp, [illegible] all
- Janet + George: no meeting scheduled w/ FE/Administration [illegible] about; we will keep WDNR informed of actions as if no Hoopeston (fine); he will meet w/ Bob in month (WDNR could host 3-way) - he will write letter to Val + Don

6. talk to Bob Gnerlich w/ Ken Sara about de-listing process
7. Marcia Hulstad & Brad Horvath
- they (USFS) need to finalize work plan before meeting (Marcia)
- more in position to move forward as necessary (me)
- Marcia will call Reg. about meeting; I did too
- Marcia not tomorrow
- Brad brought up delegation of NRDA to Bureaus; 6 months away, but could definitely happen

20 OCT 93
1. NRDA proposal
2. talk to Kit & Janet about DKGB NRDA
3. call Brad: left message
4. call Tom Custer: still intends to swallow and conserve work
5. call Don Rueck: left message
6. call Jim Hastings: left message
7. call Bob Belteau: left message
8. Brad
- e-mail files on Nanaji - looked over
- Major (USMR) message
- 104e authority
- briefing: pre-trip Dossier for delegation
- to Wilde:
(USFS) Asst. Secr. Wt & Parks, FWS, Policy, Budget
Rear Admiral, Chief of Policy & Programs, Management,
Chief of Policy & Management Analysis
Joseph J. Charbonneau 703-358-1938
358-2281 FAX
- FWS creating division of economics to help ROs: want list of projects for econ analysis
NPS, USFS, Legislative & Congressional Affairs: keeping Darol of work
Brad helping Charbonneau on priorities

- consult Kit what he would ask for - call him; what they support
9. look @ Nanaji files

21 OCT 93
1. Bob Belteau: returned message
2. NRDA proposal
3. call Joseph Charbonneau: '94 appropriation - OCR bldg on grazing; small Division for econ. analysis, acting Regions can fund or help directly; quick turn-around contracts. help review proposals also; Nov. 3-4-5 Portland meeting - econ. will be discussed - Questions prepared 1st; RO presents 2nd; personal help by individuals in Denver 3rd; RO responsibility for work (as now)
4. note to Brad on econ.
5. Bob Belteau: final report - not yet; Kit photographs; probably Spring 94.
6. call Jim Hastings about NER: Sue Barger or Mike Hannan @ WSNR
7. call Mike Hannan: NCR carbonless paper - Appleton paper producer location; left message "A" - 1982 sample 248 ppm
8. call Tom Dolan about bat spots on Top R: left message
9. Our Lead: costs, logistics for swallow work

25 OCT 93 WEEK 4/50
1. NRDA proposal - edit: final, sign, to Kit & Janet
2. files from Steve
3. Bill Avery: proofs of claim - 2 days: what about Bill claim: - question on claim: satisfied w/ answers & gave
4. Gilbert: have estimates; no fish kill

5. call Bob Locke: left message w/ Doradji
6. finish NRDA proposal; incorporate Bob's & Jack's comments; FAX to Brad
7. Jackie: RO says must travel from Door Bay (2 hours) also said (must cover expenses (meals + $25/day) and lodging DC - expenses of supervisors; Jackie to assist or in writing

28 OCT 93

1. complete draft NRDA proposal
2. Bob Locke: WDNR has fish - fish info, just lit-search can't let us see; call Jim McKay (202 208 Ramona - he will inform U.S. DOJ
3. debrief prep meeting
- probably can only do 1-2 (5 max) sites in next 5 yrs
- need to expand for feasibility/alternative studies
- were done enough study: action needed
- how much uncertainty need to be eliminated?
- cost of sampling usually not related to conf. level needed which is dwarfed by cost to mitigate/restore
- subgroup of FIR Coalition is providing an [illegible] institutes to fund WDNR for sediment remediation
4. left message w/ Brad (urgent) re Doradji
5. Randy (Hines)
10-27 (re): 4 of them (should be x
10-27 e-mailed w/ earlier date
6. talk to Brad about Doradji: slight disagreement over how to [illegible] (Bob Locke, FRRs or DOJ - Brad favors only)

27 OCT 93

1. talk w/ Jackie about travel problems: grievance (Kay) (Jackie: [illegible] may be called for: talk to Mike Lueptow at or Bill Kuehl
2. Ollie: was blueback herring value for asstt -250,000 dist is best guess
3. Jackie: DFC wants to submitted vouchers per diem must be signed before processing claim
4. call Judy Shapiro (303-989-5737): left message - memo was sent, but she does not have one - probably by Fail Allen; she will FAX once she finds it; FAXed (Oct 18, 1993) Allen re 22kg
7 talk to Ken about Doradji
- talk to Brian x
- write memo on factual basis of claims & statutory provisions for settlement
8 talk to Mark Carelli about WDNR lit. exp.
- he will attempt to contact Jim McKay (US DOJ) is not sure to pursue claim
9. talk to Tom Brosius (Ashland/Bayfield) (715-682-6185)
- out until Friday
10. talk to Jim Delgado (715-682-6163) (out 3rd November)
- Chuck Beard: no info, on river itself; have info on St. Louis estuary only - difficult to compare to river
- have some trawling data on river, which could be used to estimate standing stocks - no catch records
- crew could be mobilized in 1 week - 10 weeks: $1500/day for ship (less for smaller crew); standing stocks could be different now
11. conversation w/ Ken on timing of PRPs cover letter

5. call Cindy Schroeder for WL values: left message – bond schedule; she will have Dick Dickerson
6. call Mike Willet: left message
– receive memo of 18 OCT 93?
– agree w/ interp. of regs for deducting Buffalo-G.B.?
– " " for not responsible for authorization?
– is authorization of cheaper travel from vacation spots going to be stopped Region-wide?
– I now have to leave MO for SETAC because I can not make last flight from Green Bay (4:40) because my flight to Chicago arrives too late ($90 more & interferes w/ gov't business)
// Mike: saw memo, read memo, didn't see anything that he would call them on; not Regional policy to prevent travel from vacation status: just have to state in voucher that cost of return is $0 (if family member): fine for Chicago → Houston → Green Bay
7. call Dick Dickerson for name of document w/ bonding values
– Proposed bond schedule for eastern district of MT
8. Mariana Shulstad: 15 NOV 93 LKGN meeting – Ken & I can't be there; ok if Frank can.
– Benning will send work plan
– Montgomery Estates claiming security interests only – not liable
– we / Realty will have to do title work by 15th
9. finish Nemadji memo to Frank (w/ claim estimate)
10. Ken: memo to AES on travel

32.59
26.63
5.96

28 OCT 93

1000.59
968.00
32.59

1. distribute Nemadji memo
– talk to Ken
– stamp lit.-servt. (tell Frank for FAX)
2. signatures as acting FS
3. file Nemadji info
4. memos on Seattle travel
– response to DFO memo ✓
– clarification from Mike Willet on travel from non-duty
– clarification of hotel receipt ✓
– check into grievance / whistle-blower
– check into IG / DOI / Congress contacts ✓
– check into reg / decision cites from memo ✓
– lack of action memo; interfere w/ trip ✓
– DC cancel ✓
5. call Judy Shenefelt for GAO Title VII & Comp. decision: left message
6. Chris from Finance Center wanted to know what info. I needed
– I said B-189701 & GAO Title VII
– she said was part of notice
– I said notice included A-80748 & B-141969, but not B-189701 & GAO Title VII, as referenced in Faik memo
– she said GAO Title VII very large
– I said I only need parts relevant to officers / mistakes
– she took FAX # & said would FAX
– wanted to make sure I didn't need anything else; I said not anything I can think of for now
– I said we sent info they don't need anything else? : no.
7. told Jackie
8. Lisa Williams: talk about Green Bay & Sag. Bay

9. Frank
- did dgft LKGN letters?: yes
- claim for Nowitzki - interagency
- letter out on Nowitzki River
- Paul Horsfall (ELNPO): monitoring of federal LK MF;
LK MF mass budget (1993) - review (contract) 15 NOV
due: could you do it? - will send copy
- NRDA $181K add: $40K Green Bay lease (ELFO) (4 BFO);
(up to 30?) coarse (75K); ($18K cottages)
no paralegal; lease of Regina cottages
10. Janet Hewitt: travel situation - briefly discussion for clarification

27 OCT 93
1. memo to Janet on travel - finished: could not copy (machine broke) / distributed
2. review travel info.
3. Oak mail - not done
4. Jim Prather
- Dave Cowgill (353-3576) & Mark Jackman (353-1369) for info on ELNPO work on Fox River (LLSOM & assess. info)
- Phalen Prairie (353-3437) for data integration from Green Bay Mass Balance
- job in ELNPO FWS/ELNPO on habitat conservation - work w/ other agencies & NGOs (interested?)
5. call Porter Read for NRDAM/R database: left detailed message
6. call Rick Graeber (612-725-3585 x246) (other offices & employee relations officer)
no prohibitation if documented, pass cc'd, or addressee; don't know about DC office - not usual
- DOI, OIG, D.C. 20240; (OIG, & Congress)

- moved to FOIA documents if have them September (cc, addressee, author)
7. memo to OIG drafts; copies of travel files
8. call Frank about memo's draft of FKFB letter: left detailed message that fine except RD Mass Bal. not yet released

01 NOV 93 WEEK 4/51
1. distribute OIG memo (travel) & mail
2. talk to Jackie, Ken, Janet about travel
3. letter to Congress people on travel
4. staff meeting
- $181K added from NRDA: not lease, but treated like lease (RO-dog, lease)
- GBKO Lidwell, relatively speaking
- enough $ to support KFFa; but may be some different than usual function (re-assign, etc)
5. post-staff meeting on travel situation
6. Terry Anderson (Press Gazette 431-8214): return message
7. note to Cashel to contact FKC off
8. Terry Anderson wanted to talk to Ken
- had talked to Ken about letter / cooperability
- inclusion of NRDA; theoretical applicability to GKFB; Mass Balance trigger
- will come by TUE 3:00pm (09 NOV 93) no more Tue
9. call Frank
- P.C.: cautious - no decisions; but admit started (NRDA fund/time)
- 6-trustee letter
- Title search: contract w/ Realtor contractor: and Bank info from Courthouse: owners, State (or Tom Townsley, Bay Bell Division (Realty 612-725-3564) Detroit; legal description; true Chimera (sealed appraisal)

- proposal on cc mail? (sent last week); found
- Marcia queezy about FRGB proposal, but will sign
- Nemadji: Marcia looking at it
- Straw agenda for FRI: pre-meeting & meeting
10. talk to Ken & Janet about Terry Anderson WE 3:00

02 NOV 93

1. clear mail
2. call Pete Jopke about Nemadji: left message
- FAX Nemadji letter & address/cc list
3. call Chris Barnard / Gail Alley / Judy Sherfelt: 20 NOV due
- can't say how will take; 3 weeks after they get it, but they probably do not have it yet
- I said that I am quickly coming to 120 days past due, that I can document that I provided all info. timely; that if Gov't takes action against me I may file grievance for no action / delay
- she is responsible for more than R3; will do best she can
- I asked her to try to track & get done quickly
4. call Mike Willet: 20 NOV deadline
- Janet Smith has blue envelope from Mike Willet: Mike gets 120-days-past-due notices; he will hold mine w/ no action
5. Denise Stewart: trying to figure out NRDA & Crab Orchard
6. memo to Janet on travel
7. talk to Janet
- she has never read disciplinary memo for delinquent accts - assume discussion
- she just received info from Mike Willet & will copy me. (done)
- she agrees w/ Mike Willet's explanation that cost of 1-way travel should be deducted, and that if travelers can't document $0, should expect deduction
- she does not want this pushed too far
- I described why I thought $0 would always be deducted where vacation → off. duty → duty station is cheaper flight than duty station → off. duty → duty station, because cheapest personal expense for vacation → duty is $0 via official travel
- I described why vacation → official duty → duty station entitles me to reimbursement of cost of 1-way travel to or from vacation, even though I did not claim it
- I explained that I was avoiding similar situations in future, even though I disagree w/ interpretation & believe costs are ? to govt. unnecessarily until specifically authorized to do so (so no future problems likely); Nevertheless, I believe interpretation of Center / Region should be reviewed by authority
- Janet said she has not "put a lot of brain power into this" and does not wish to
- I said I wasn't asking her to
- apparent agreement
8. Pete Jopke
- got FAX; gave copy to State DOJ - he & DOJ had never seen it
- some discussion FED DOJ ↔ STATE DOJ contact
- had not heard about FRI meeting - not in loop; knew Baker was briefed on something coming up
- will keep in touch
- Eggert may take private sector job w/ firm in Denver

9. call Mark Cancilla; co-trustee letter out
- talked w/ Jim McElroy on 28th: he thinks State NRDA would exceed damages; looking @ restitution for fish kills; position in ~~next~~ 2 weeks
- fine for Burke timeframe
10. call Kirk Forrath: left message + FAX'd info
11. talk to Janet + Ken about DRFB meeting
- need to chat RD to possible extreme controversy (spotted owl)
- need to chat John to legal constraints which will have to be addressed if we hold off (Revolving fund)
- need to chat John B. that WDNR likely will have co-trustee letter as de-facto sailing Coalition
12. talk to Ken about Nemadji / WDNR + travel

03 NOV 93

1. memo to Jackie on ~~Rhodes~~ Amer. Express / Wildlife memo
2. Chem mail
3. call Marcia Kimball about Nemadji; returned: left message - no call-back necessary
4. call Tom Busiahn; left message
5. read Grievance Procedure (22 AM 22)
6. call Rob Morin about whether travel reimbursement delay is covered by 22 AM 22.2(c)(18) GAO adjudicatory matter governing statutory entitlements for back: left detailed message
7. call Rick Graham (Wash. rep. for KBs Management Contract Coord.?) (20 AM)
8. call Kirk Forrath
- Nemadji River: boat (Chet book) guess must go forward, w/o educator, if necessary
- proposals: OFS problems (no signatures); conflict between lack of detail + substantiation in proposals + lack of detailed advice from OFS
9. Rob Morin (612) 725-3585 X200
- guidance if Service took action against me for delinquency (Chet would write letter)
- GAO if matter of interp. of regulations
- Tom Berge is probably Regional Management Control Coordinator
10. call Tom Berge
- Secretary will give message - back on FRI
- Tom probably not, but never hard of it
11. talk to Ken about options for resolving travel problem
- guidance if action taken vs. me for non-payment
- GAO if Fish selects $
- Management Control Officers if force deductions generally
12. memo to Management Control Officers: draft only
13. Oconomowoc floating pollution barrier
- check plugged up w/ contaminants; people want to unplug creek; wetlands have formed - FWS and others object to wetlands clearing. Nov 22 or 30th in Appleton, Wis.; call Carla Ihnat + Schultz (608-267-0540, WDNR-Madison)
14. Tom Eggert: Oconomowoc
- $ FUND site: chrome plater - backup to wetlands/creek; high metals; no PRPs left; #s would approach for cleanup (EPA/WDNR dispute) - resolved; are going to proceed; citizens object because they were prevented from dredging in past (no - $ FUND site). citizens will dredge upstream; wetland issue for dredging
15. talk w/ Pat: suppose further steps / action plant would not go that route, personally

16. talk to Jackie about travel action: she would prepare for further action, but want to see what happens
17. talk to Ken & Tara: convinced after lengthy discussion that ok to send; just warn Janet
18. talk to Janet about memo, show draft: fine with her
- I said that I could move on at this point, unless action taken against me for non-payment, ok.
19. send memo
20. Ken & Janet: signed co-trustee letter to FRC meeting - tell Frank

04 NOV 93

1. FAX to Frank to bring signed FRGB co-trustee letter, if possible
2. clear mail
3. Marcia Kimball
- wait quietly & see if WDNR has anything
- NRDA proposal: will surname but concerns on statutory exemptions (sounds like we know more than we do)
- Green Bay proposal not the one to worry about (not our biggest problem)
4. Frank Hornath: - would like my involvement in identifying issues ~~[illegible]~~ raised by proposals (review)
- mobilize to get letter there; he will FAX draft 1/2 hour; for signature today
- he will meet w/ ~~[illegible]~~ John & give letter - Janet should help convince to sign today
5. talk to Ken
- Sag. Bay activities / Lisa Williams
- Fox R. / Green Bay proposal / Marcia Kimball
- studies of birds for L. Mi. Mass Balance
6. look thru NPDES records for info, identified by Marcia
- memo FAX to Marcia & Frank

7. SETAC scheduling
8. Janet
- John B, Frank, & Janet only to Madison meeting - more general, presentation by Mari Anne Lumi
- I will go to strategy session at airport
- bullet points ready
- implication of waiting on FRGB NRDA is to stop WI program
9. Diner's Club (Mrs. Stacy) (1-800-568-6072)
- talked to someone else
- might want to contact coordinately to expedite
- call in next couple weeks

Donna Hurly
Sheila Dade
(703-358-1742)

10. call Donna Hurly / Sheila Dade: left message
11. bullet points for John / Janet / Frank; FAX / give

05 NOV 93

1. SETAC planning
2. read Env. Disp. Handbook
3. meet w/ John, Janet, Frank
- John B.: can't wait: appropriation & already started
- detailed discussion (John read proposal)
- I emphasized that WDNR likely to try to buy time (perhaps at any cost)
- I said statute of limitations good device to move forward; but on any big NRDA site w/ powerful PRPs - prepare for continue

08NOV93

WEEK 7/12

1. talk to Janet Rau/Tom about WORK/EPA/FWS meeting
- WORK coverdated on currency EIA that Coalition wants
+ 6 from EIA should continue
- put back to FWS statistics about NRDA - not on agenda
- EPA fairly neutral to everything
- letter out this week - John B. has a few changes -
will place previous meetings
2. Staff meeting
3. talk to Rob about returned funds
- agrees w/ my assessment of WORK motives
- WORK presentation pretty useless (boy + story)
- focus on Bryson
- Mebane: why the order of doing business
- Dean invited w/ WORK: just engineering exercise to meet WRS
- Dean was nervous - may have shown: Bruce Baker embodies MONK WRS/NPDES - don't get it
- J.B. will include language about the 2 meetings
- J.B. will include notes coming (discovery / 8 / meeting): Bruce
- J.B. said notes coming (discovery / 8 / meeting): Bruce
9 May - Ann Bond at each other
- Mary Fulghum: Bruce Baker just getting pretty ligit
- we should talk to Bill Rudolph (Bruce date),
Mara Faulkner, Dave Cowgill
4. call Peterlongo: left message
5. call Mara Faulkner: left message
6. call Rollins: left message
7. call Claudia Johnson - Habitat: 353-2190
- Jennifer + Tom R. got Justus letter
- Val personal interest in Condon mine

8. call Sue Gilbertson:
- Bob Rhetaugh on LAMP tech committee; will see about adding more EWR expertise
- Bonnie Ebsen teaching
- send Sue documents as transmitted
- she is excited about progress
9. call Bonnie Ebsen: left message
10. call Tom Dawson: left message
11. call Mary Fulghum (CORC): left message
12. call Tim Doelger: left message
13. FAX note to Bruce re about Corps obligation
14. Tom Dawson: Fox R. Coalition has not accepted
- will pressure WORK + will let political arena know
- is separate from WRT DOT - so separate ccs
15. let Frank know
16. read Sci. Amer.
17. Marc Tuchman: doesn't have info. (no use at Fox R. work)
- Dave Duffault
- Forge Lakes
- Rollins
- asked about meeting + WORK stance (Bruce what was going on)
18. call Don Rusch: left detail message
19. read EIA 1976
20. Tim Doelger
- info on meeting
- would like to see letter when sent
21. Dave Parks
- Mara Massmann (RAC Coordinator): 353-2154
- Get discussion: 25 pages coded per person per day; FWS comments + combination being handled by Ken + Tom

22. Janet: talked to Bill Selling (District Director): nervous - so is Janet - but time to move on
- time line + discussion (Janet/Ken/me)
- keep district involved - don't conflict w/ them except as necessary to fulfil NRDA

09 NOV 93

1. re-read GBFG NRDA proposal
2. read notes (typs) from WDNR/EPA/FWS meeting
3. call Tribes about co-trustee letter (FRGB)
- Jackie Smith (Oneida): left message
- Glenn Miller (Menominee): Linda: will pass info. on; another [illegible] probable [illegible]
- Jeff Parker (Bay Mills): Ken Gephardt: will look forward to info: Grand Traverse Tribe also
- Bernard Bouschor (Sault Saint Marie): Dan Padgerson (906-495-5815)
- also contact Treaty Cattell
4. read EPA 1976
5. NRDA dBASE: switch to NRDA involving fund tracking
6. Bonnie Elder
- sensitive to WDNR intends - don't want to give appearance that EPA $FUND stepping in
- want to see Waters next move
- keep Bonnie apprised
7. call Tom Custer: left message
8. note to Jackie on expense records for NRDA
9. Vince? (Chicago): Lake Calumet - R.B. - Calumet
- Dan Sparks
10. look @ + print Pete Gopher FRGB data

11. call Frank Horvath: left message
12. Janet: John B. heard from Maryann Sumi: they want to meet 03 DEC 93 to talk about co-trustee letter; we (Janet and I will probably be there - Twin Cities)
- I said word already out (DUCK!!!)
13. OIG; Suzanne Gory, Dep. Dir. for FWS (she will refer to 15 mo ago)
- had run into similar problem @ HHS: people used to look flights last minute to get 1st class - countered w/ never allowed - she got pinched
- she can not overrule
- head of Finance Center will respond to me, directly
14. note to Frank

10 NOV 93

1. FAX note to Frank
2. Randy Hines (returning call for Tom)
- $ from account - records should come to us, not them
- talked about proposal, ranking - I'll send copy when get
- analysis scheduled or underway from last year
- he has our voltage adapter; we have their coolation
3. EPA 76
4. Frank + Janet
- Janet not pleased w/ delay or potential to stop
- Frank not happy w/ John + Sam getting in way
- I'm not happy w/ radical shift in direction w/o consultation - word already out
- prepare to be in RO 01-03 DEC
5. look at Lotus files from Gopher w/ Rob
6. Print Gopher files

7. Frank: talked to John
- asked where from (GBFO & FRANK).
- John absolutely insistant that Sam must sign
- Bruce Baker meeting: cleanup will be comprehensive (response to Frank - WBS-based); Bruce has no substance - can't prevail if anyone listens to substance of what said
- warned John he will have to stick to his guns, may
8. Ann Second
- add to NRDA - spec?; what grade?; any others?
- SETAC - look for note on bulletin board for lunch TUE, or WED
9. Meet w/ Terry Anderson
- general discussion on FRGB
- will keep in touch: December
- keep him involved
10. call Frank
- Nmadji 22-3 NOV: $100K-$225K
- briefing for Sam
- Lake Geneva: let's move; don't let Mariano take over
- FAX/MAIL legal description

15 NOV 93

WEEK 5/01

1. travel from Green Bay to Houston for SETAC (missed 1st day)
2. call office: check for Seattle in (1988); can't use corporate DC at hotel - use my VISA; Bill Conlon called
3. look through mail & SETAC materials
4. Jane: call T.J. about NH4 & TRC (Joan says: where are impacts?; where are inconsistencies?)
5. call Pete Howe: left message (where impacts?)
6. call Dave Pfeifer

- agrees that NH4 & TRC inconsistent
- agrees TRC limits use technology & WQBEL & ZID
- IL most ZID-grantings
- IN most technology-based
- OH still exempts minors from technology
- MI report on TRC & NH4 inconsistency (will look for it)
- some States chronic & acute NH4; some chronic only
7. call T.J.
- Dec 3rd next meeting: documentation by then
- Told him about previous conversations
- consultation going well: M&A may handle many problems
- Section 7 violations by discharges may be hammer
- he will check w/ Frank & field offices for NH4 & TRC problems (I said I know more about inconsistency than monitoring)

16 NOV 93: SETAC

A. Exxon Valdez
1. NRDA statistics & sampling: ANCOVA & paired statistics useful in addressing confounding factors (habitat variation, sampling variation, etc.)
2. " : can ↑ power by ↑ n, ↑ P(>0.05), matching, pooling

B. Sediment
1. Kinetics of AVS (DiToro)
- AVS oxidizes much more easily than most minerals - causes vertical gradients in sediments
- AVS oxidation related to surface area of particles - good fit w/ data

(acid volatile sulf...)
(simultaneously extracted metal)

B.2. AVS + SEM kinetics (lake bottom)

3. AVS field study: add Cd to soils in field - look at colonization
AVS Cd, bioaccumulation (1 year later)
- [Cd]/[AVS] not correlated to toxicity for most species (insects in field / crustaceans in lab) (not much excess Cd @ study lake so even 10:1 doesn't kill not much Cd)

C. Exxon Valdez
1. long-term effects identified
- reference sites better than oiled better than oiled + washed
- all sites recovering, but washed much slower
2. long-term effects rocky shoreline
- oiled sites affected + recovered fairly quickly
- oiled + washed much more affected, but also recovers (2-4 yr)
3. toxicity of oil residues
- hydrocarbons to background in several years
- 2-ring PAH account for most of toxicity variance
- 2+3-ring PAHs degrade more quickly than 4-, 5-, 6-ring
4. monitoring oiled shorelines
- quantitative supported qualitative
- recovery rapid
5. application of sediment triad
- recovered at this time
- triad successful in this application

D. Sediment
1. use of techniques in field
2. 2 field examples
3. effluent dechlorination

E. Exxon Valdez

1. end of talk on whethered crude toxicity to birds (Ringer)
- no toxicity to birds; no substantial risk currently
2. Murre #s
- #s affected, but recovery now pretty complete
- not decimated as reported by FWS
- cameras: pictures every 6 minutes whole season
3. recovery of seabirds
- immediate short-term effects
- recovery in several years
- any long-term effects likely to be subtle + undetectable
- harsh environment probably selects for resiliency
- question: how many perturbations to push past brink? (more than here)
4. others
- very little effects - may be due to ↑ before spill
- flaws in FWS studies
5. summary
- Exxon did a good job
- Environmental effects small
6. Discussion
- Trustees have declined to participate substantially (litigation has forced separate avenues of studies)

17 NOV 93 : SETAC

A. Wildlife Toxicology
1. wl Exposure to pesticides
2. grasshopper pesticides / effects on kestrels

A.3. tree swallows / PCBs / Sag. Bay
- model to predict uptake of PCBs in swallows.
- adults > eggs > nestlings for PCB
- good predictor of PCB growth dilution
4. soil / sediment ingestion
5. mining contamination
6. Polar bears / OC contamination
- OCs declining in arctic ~ 1970 to present
- current PCBs 1-10 ppm
7. Beluga whales in St. Lawrence
- very high incidence of lesions
- very high contam. (pcbs up to 670 ppm)
- males higher than females (young high - milk)
- accumulate over whole life
B. Environmental Law
1. Risk Assessment: need ethics for this tool: full disclosure; conflict of interest; very large $ at stake
- separation of risk assessors from risk managers
2. NR injury in oil spills: litigation inefficient & expensive - should use cooperation
- CVM scares industry
- cooperative NRDA workshops upcoming
3. Env. Law & Society
- interaction of scientists & lawyers
- public law & private law (toxic tort suits) (implemented by agencies)
- all sides use junk science - should prevent
- stick to facts, not advocacy - key to success in proceedings

Jara: LKGN - PRPs agreed to assessment costs; but not restoration yet

4. Assessment of injury in Mega Borg (very good talk from PRP consultant view point)
- where cooperative effort can be fostered, great efficiency & quickness can be achieved
5. Mega Borg: value of cooperation (NOAA)
- no injury data ∴ no NRDA; cooperation only
- no claim for damages made!
- probably works on small & medium spills
- also depends on personalities
6. Mega Borg: shrimp injuries

18 NOV 93 : SETAC : NRDA Session
1. Overview of regs
2. CERCLA regs (John Diesen: Director OEA)
- REO coordinators; Bureau technical work
- brought OEA brochures
- Commerce delegated to NOAA
- just read framework of Statute / NCP / NRDA (lots of quotes)
2. Type B regs (Willie Taylor, Dep. Director OEA)
- working on Great Lakes type A
- everything for restoration (I think for making public whole) (includes lost use)
- rebuttable presumption = presumption that correct (controversial)
- OH v. DOI type B 12 challenges (won 9) > joined - D.C. Circuit
- CO v. DOI type A
1. measure of damages (restoration plus lost use)
2. hierarchy of econ. techniques
3. scope of regulations
- Colonial pipeline site outside of D.C. is only case that is close to referral to DOJ by DOI as bad (Ø referrals so far) (my question)

3. Rich: Rappa A 1990: computer model for AL
- 11 G.L. provinces
- acute spills (small) only
4. Linda Burlington (NOAA, OGC-Seattle) Elly Rabinowitz (NOAA NMFS Galveston Biologist)
- 2300 page package: by end of '93
- restoration guidance document this month
- NOAA econ. panel chaired by 2 noted economists: published in FR last January; DOI & DOC rules will use same language for CVM
- for 10: NOAA in Chicago w/ rule & guidance (notice published same day as rule)
- injury types for OPA different than CERCLA regs
5. Bruce: $2.5M for Rock'd. insufficient; settlement premature; only 1/10 of restoration possible; current refuge manager disagrees w/ last; NRDs don't want reopener - FWS may; not sure if '91 Consent Decree qualified as administrative
6. Compensation formula under OPA (NOAA)
- ran models 100's of times for location: all GL, connecting channels, small lakes, open & estuarine
- simple formulas to calculate damages (e.g. beach closings, lost damages, etc.)
7. Rocco Simone (atty. - private) (AROVOX): New Bedford Harbor
- 1978 case started (State agency took samples from capacitors (300,000 ppm)
- AROVOX took ownership of site (Acme) in 1978; Aerovox manufactures (15 lbs. sold)
- December 1983 case filed (statute of limitations issues)

Craig O'Connor (NOAA atty - due to all NOAA NRDA efforts): Exxon Valdez

Arochlor 1254 & 1260 (2 owners ago)
Arochlor 1016 (1 owner ago)
- mid-1989 new judge - moved case along
- 1995 procedure: all parties must submit all relevant evidence (reports & responses) for trial: everything on table
- pre-trial motions next
- 8-9 months decision
- 2 appeals w/ written decisions
issues ① federally permitted releases: releases that are part of the recovery - burden of proof on defendant to prove that were fed.-permitted; attempted to show Arochlor types
② pre- & post-enactment release/injury: no recovery where release/injury wholly before enactment: court said that while damages barely derivable - only post-recoverable, just up not derivable (by NRDs) - all recoverable
③ statutory clearing for 2 weeks excluded many applicable data
④ $12.6M plus $66M plus $21M (1992) settlement (parts of defendants) - reasonable settlement
- my question: does mention of pollutant in application for NPDES place discharge by permittee = federally-permitted; no court has reviewed - he would argue that is permitted
8. Craig O'Connor: Exxon Valdez
- March 1989 11M gallon spill - 500 miles affected
- NRDA started summer 1989
- Oct. 1991 settled w/o filing for $900M for NRD plus $100M criminal restitution: money for restoration etc. - goes to public/environmental organizations
- very inadequate injury documented/published
- tools of restoration very difficult ("playing God") - must protect so can heal itself (acquisition & enhancement for further injury so can heal)

- most of the $ will be used for acquisition (probably)
- continued monitoring will take fair amount of $
- payout through 2001
- will consider other locations for migrants, as necessary
- NPDES ↓ [Natchitoches discharge decision says must be in actual NPDES permit]
- FED. DIST. COURT w/i last month or so

9. FL (State view): Compensation schedule: Ernie Barnett (FL DEP)
- codified procedures in State statute
- left in middle

10. missed CVM session (afternoon)

11. Talk w/ Mike Meyer & Cheryl Dykstra
- Dave Hoffman & ? have PCB NOAEL for Gestalt & should talk to him about whether lower than Green Bay ambient
- Lisa Williams: best grasp of PCB literature that Mike has seen - we should all 3 talk about State of PCB literature as relevant to Green Bay & Sag Bay
- Mike believes PCBs causing injury, but uneasy about level of proof / confidence
- told Mike Green Bay NRDA plans: WDNR interested & field studies for next 3 years
- Mike interested in eagle work w/i that time; perhaps mink work; in short term, $5K for eagle egg samples
- Mike thinks good chance for ELFO & GBFO to work together now: previous perception that GBFO inept is waning

- maybe include Bay de Noc eagles
- Cheryl would like to start in September, but could start in March if could work on dissertation
- she likes idea of field work & research emphasis - also interested in legal aspects

19 NOV 93

1. Anthony (DC 1-800-588-6072) (x7726)
- wanted me to X-Press mail or wire $
- I said mail; he said my responsibility
- I said take it up w/ Gov't contractors

2. call Frank Horvath
- LKGN: review of meeting; need hours spent; need clean-up criterion
- NEM R.: Mariana says were nuts; Frank said ① spill ② injury ③ claim or no CNTS; Mariana warned up to idea a little
- Lisa, Frank, & I: core of NRDA group session to discuss cases - start w/ Sag Bay
- Brief for Sam: went well; Sam behind us if controversy; understands WDNR - disagrees w/ them
- WDNR brief: I will hide in wings; John may because of travel situation
- Frank and I ok: long conversation

3. talked w/ Tara extensively about: Nemadji; Lake Green; Kinney; OEA; SETAC; travel problems; [illegible]
(entered & deleted on 30 NOV 93 [illegible])

22 NOV 93 SECK 5/02

23 NOV 93

1. clean mail
2. talks to Ke
   - SETAC (detail)
   - Frank/RO/John - travel; NRDA (detail)
   - Mike Meyer (detail)
   - 2 meetings w/ Lisa Williams (RB literature: Mike, Ken, Tim (strategy session for 3 primary NRDAs)
3. Dawn Schrader (Rhinelander office) (608-282-5583)
   - Supervisor outraged: unmet Govt.
   - settle: - yes
   - ok to release my name? yes.
4. Frank Rohrstaff
   - talked to Marcia about Kenadjian FOIA; guidance on exclusion
   - my file most complete
   - report w/ attachments or w/o (call atty)
   - FOIA faulty; asked for everything; no amount of payment (+ multiple requests) if any table above; in cost
   - call atty & ask what was (letter coming) if any table above; in cost
   - Ken & will write letter for clarification
   - $4.65 (estimated hour) 1000 pages ($0.13/page)
   - $2.30 (quarter hour) (1 hour)
   - 3 jobs: absolutely yes; absolutely no; grey (talk to Marcia)
   - don't send claim memo
   - NW to begin (2 hrs) 2:30-3:25; 4:50 final ordering; Dawn said he must do it
   - agenda for Ken Bruce - John B. quarterly meeting (Dec 8, 93)

ONRDA - Green Bay, NW #, LK Chr
(3) CAMP & RAP coordination
(5) MOU on ESA
(6) walleye cases
- For R. Green Bay NRDA: 3 documents w/ clarifying letter on why WDNR meeting (1 page w/ bullet points); send cc mail
- John B. / Marcia meeting yesterday: mad about FWS memo on OFS support; J.B. + FWS + TJM meet tomorrow on RO central point for OFS contact;
- Kenadjian: claim: Marcia call from Nancy Foster re DOT wants answer by 15th DEC 93; # + 20-50% find w/ Marcia; want us to contact GLFMC to find out their position (me); ask at back / Tinker if will respond; analyze memo for convenience;
- Fed. Dist. Court decision on NRDAs: send to OFS
- send note to SETAC
5. Terry Anderson: returned message
6. call Karen Vermillion: obtain message - call back MO
7. Call Tinker about Kenadjian
- Ford du Lac Rs., Cloquet, MN - have response - will assess
- Bad River Chgs., Odanah, WI: - have not seen letter; probably still in Chairman's office; chairman + atty out until
  - FAX 715-682-7118 Erwin Soulier: check MO
  (FAX'd letter + response)
- Lac Courte Oreilles: 715-634-2329 Marie Kegeboldt
  634-8934: no decision yet; will talk to atty; will get back to me

8. Paul Bumgardt: effects of purple loosestrife chem. cont. - call Kr
9. Dave Pfeifer: returned message
10. call Frank
- claim to Marcia by 30 NOV (Trilies by this)
- Frank agrees w/ memo last guess
- connect Marcia: I explained Tribal contacts
- Frank likes $241,082.80 - no way to improve
- Marcia willing to give it a try - especially with Trilies
- read FAX: talk later
- ~$750 for FIA
11. call Rochelle R. Lowry (FIA)
- $750; told about report + attachments + admin. record
- ~~[illegible]~~ won't want all $750 worth
12. Dave Pfeifer
- will send Mi report
- NH4 + TRC not persistent - no fish advisories; but probably bigger NPDES problem
13. call Pete Howe: left message (return 24 NOV 93)
- all states different - Pfeifer has document
- NH4 in sediments in RAPs - ERC Duluth
- use impairment in Harbors
- Milwaukee - Harbor (Ant Brooks): fingernail clams dead from ammonia;
- ~~[illegible]~~ NW IN: wasteload allocation (Pearson)
- Duluth Superior
- Mill Creek - TRC?
- NH4 biggest problem for EPA - nobody wants to touch
- EPA legal believes that challenge will prove that NPDES are federal actions

24 NOV 93
1. Pete Howe (see previous page)
2. Houston trip voucher
3. call Dave Pfeifer: left message: wildrice info - will send draft NH4
4. call William ~~[illegible]~~ Wawrzyn (WDNR, SEDO): left message
~~[illegible]~~ - Milwaukee Sewage treatment plant
- NH4 limits
- TRC limits
- MZ/ZID?; acute + chronic limits?
5. call Peter Tennant 231-7719
- Mill Creek permit
- NH4 limits
- TRC limits
- MZ/ZID?; acute + chronic limits?
6. call Bob Heitzman: couldn't find #: 614-
- TRC: minor technology based?
- Mill Creek limits: ZID
7. call Mark Maloney: line busy (216-942-7260)
8. call Pete Lopke: left message
9. call Cathy about NH4: not consistent
- Sreedevi Yedavalli (EPA Permits) 353-7315: not there
10. call Sreedevi: pH issues
- permits still have inconsistency: not using background pH
- Milwaukee permits up for reissuance end of '93
- will send Milwaukee STP permits (current
11. clear mail
12. read R3 NRDA proposals
13. FRFB info to Frank

14. comments on LKFN agreement to Frank
15. info. on FLWRF NHX & TRC to T.J. (note)
16. copy SPIN & send to Frank & file

29 NOV 93 WEEK 5/03

1. staff meeting
2. read TSP info
3. clear mail
4. note to Jackie for switching days @ Christmas; charge Christmas leave slip; comp time form for 03DEC93
5. call Karen Vermillion about Renadji (heard from White Earth - no unofficial); heard from Fond du Lac - assess for them; talked to Bad River - FAX'd Fond du Lac. letter; talked to Lac Courte Oreilles - have letter - no decision yet)
- will relay info.
- trusts my judgement (I'm happy with situation)
- pleased w/ open communication
6. call Pete Jopke
- good data
- meeting on 03DE93 (02DEC93): history
- Jopke: they think we're nuts; absolutely no info. transfer w/ i; he doesn't think they get it; thinks DRPs perceive ~20 year plan w/ WDNR as best bet
7. call Lisa Williams: left message
8. call Pianis: left message
9. return call to Larry Sisk for Ken: common loon study w/ Mike Meyer - $3000 - put together catalog - use emergency $ (T.J. said fine)

10. Bill Nuvey: leave us off Current Contents route? yes.
11. Talk to Janet about WDNR meeting
- Frank wants Ken there; Janet said no
- Frank wants calm seasoned approach: Janet said I could handle as well as Ken
- Janet and I think issues straightforward; only worry is 1st State/Mailer meeting - Sam could grant extension.
12. call American Express to change PIN
13. send Milwaukee permits to T.J.
14. Shieka Huff: RAD for NW Mauthe site (Appleton, WI): won't send; will not send WI $FUND info. generally.
15. call Frank about "Environmental Law Reporter", Environmental Law Institute (202-939-3800)
16. Terry Anderson: update?
- meeting Thurs WDNR/FWS to decide joint or alone
- will call 06DEC93 (MO)
- wants to start writing soon: will contact others: e.g. mass balance
17. call Dad about Ketchikan Pulp NPDES case: Federal Reporter (Federal 2ND or 3RD: advance sheets) (or computer library) (WEST LAW)
18. Briefing memo. for Th meeting: FAX to Frank w/ 2 attachments
- copy to Janet

30 NOV 93

1. reread briefing notes for Thursday
2. fill out address change form for Jackie
3. info. to Jean for hotel reservation

4. call Becky Kates (Clean Water Action Council)
- talked about econ. analysis upcoming - I will forward info. reply on UW to do full list. saved (all info. by ~ Spring of 1997)
- talked about NRDA structure & framework: I will send info; I said possible outcomes of NRDA are
① no action - no injury
② no action - assess costs > damages
③ settlement - best guess based on state of info.
④ claim/settlement - negotiated based on restoration cost plus lost use value plus assessment costs
⑤ litigation by DOI to recover claim
- talked about WDNR's role; I said WDNR had largest resource; I said State could use State authority in lieu of CERCLA to accomplish same goal; I said that trustees could act independently but encouraged by statute to work together; I said FWS & WDNR are meeting to discuss options - decision soon on who would do what
- she asked about 3RD party suits; I said 3rd parties can not sue for damages under CERCLA (can - OPA); 3rd party suits possible for inaction, improper action, improper settlement / CRTS
- she asked if she could put in newsletter; I said up to her w/ caveats: ① I am presenting only my view of the situation ② official decisions by FWS (soon) will be more reliable ③ if NRDA pursued, official matter documents of admin. record will result
- she asked about contents of admin. rec. + newsletter publicity; I said ① cover letter ② PRP notif. ③ possible action ④ notice of intent ⑤ draft A.P. in FR ⑥ A.P. ⑦ Report of assess ⑧ claim; I said all are public documents, draft A.P. 1st "public notice"; all fairly easy to track because ① were following CFR closely & site files fairly heavily centered
- She asked when admin. rec. would start & if she could get info. on our plans; I said WDNR/FWS meetings this week to determine if/when NRDA appropriate; I said that documentation of our detailed plans for FKFB are considered litigation-sensitive; she said she would call next week to find out results of FWS decision; she is very excited about prospects of something finally being done
5. Joan: reservation ② Days Inn, 8401 Golden Ave. Bloomington, Mn. (across from Mall of America), 612-854-8400 ($50/night) (plus tax)
6. call Frank (① flood ② above ③ publicity ④ case)
7. work on LKFN record of activity for Frank
8. talked w/ Joan re: info. about: Menasha River; Lake Davis; Fox River; OEA; SETAC; Fish & Wildlife; TX trip
9. document Lake Davis time report
10. Joan: John B. talked w/ Romain; ≤ 6 months delay - last said OK. John called Sf COE meeting - Joan, a little - upset Dr. Barnhurst - to agree
11. Frank
- briefing: cc mail or cbr copy: 2:00 1-2 hours w/ John B.; 2 calls between John B. & Maryanne - mass balance (≤ 6 months); yesterday Sam said - "AOC"/NRDA good mechanism; only question is timing - nothing has changed since Oct 1992
- Washington briefing for Sage Bay (w/ Brian Day)

- Nemadji: Jim Jon: nervous
- long discussion: must convince Sam & John not to delay
- talked about Ken being there

01 DEC 93

1. call Lisa Williams: not in yet
2. copy brief file to disk for Frank
3. note for John w/ Frank for meeting
4. travel w/ Janet to Twin Cities
   - talked about ES training; FWS; GBFO; personnel
5. meet w/ Frank & Janet & John & Larry
   - John: wants me here for 3 [illegible] sessions to hammer out OFS/FWS relationship on NRDA
   - Frank: 4 people in meeting (probably); Marcia wants Nemadji preassessment screen (for rebuttable presumption)
   - John: ① not pinitio
     ② doesn't preclude thrus
     ③ we've spent $ & have [illegible]
   - Sam said pursuade us not to go forward
   - sign letter today: John - yes
6. meet w/ Sam, et. al.
   - George will know we will sign when he leaves (Sam)
7. talk w/ Dave Siegler (Bad River Ally)
   - want to see where NRDA leads, but worried about scrutiny on basis for claim (tribal rights & injury data)
   - answered questions
   - they will ask as to claim for them

8. Jan
   - 4 ppm NOEL for eagles from Nubiak white paper - 1 variable correlation only
9. talk w/ Frank about travel claim

02 DEC 93

1. call Lisa Williams
   - looking forward to 17 DEC 93 meeting/discussion
   - Frank, Lisa, & Jo should get together to talk strategy on Sag. Bay/Green Bay: Jan/Feb. (Frank: during detail)
   - Lisa working on D.C. briefing
   - Lisa has software for literature
2. Meet w/ Sam, et. al. & George Meyer/Maryann Sumi
   - George: Fox River Coalition description - desire to describe
   - Sam: GB & FR #1 priority; 3 big ones; we have to do it - st. of lim.; can help your cause w/o direct involvement
   - Maryann: actual description of FR Coalition
     ① Burgy said no (bad reasons)
     ② FR Coalition takes advantage of several things
       - LLBDM project
       - NRDA threat
       - RAP / local activity
       - WDNR looked for voluntary interest: out of mold; give it a try
       - FR Coalition: weren't optimistic; but has been great success
       - looking for lots of Fed. funding; also State & local
       - have political & press interest
       - identified pilot project

- everyone at table
- question stop litigation

③ George: can file claims: success? proof problems; 10-years of litigation to Supreme Court
- Stella in closet good under oppression: will scare PRPs away; don't over-play; don't point any fingers
- SM of State money already

④ Can we ~~refer~~ T.R. Salmon on PRP letters? to some extent, yes.

⑤ how long for PRP letter (GB Mass Balance).
- WONR met w/ Coalition ~~thought to turn Coalition~~
- FWS present to Coalition into our Circle

⑥ how long to respond to trustee letter (as long as want)

⑦ Stella not trustee in Wisconsin
- Fed Court said State fiduciary responsibility to Tribes for management of tribal resources

⑧ Menadji River: have filed I will receive more $ than resource worth

⑨ Lake Erie summary (Frank)

⑩ George: political ramifications: Governor aware of situation ~~A~~ of NRDA; George can not control his response

⑪ do not share letter w/ press (Dan Manley)

⑫ State can appeal bad at any time

⑬ Mike Lutz 286-2121 (home) 287-7458 (legal)

⑭ George: both me & ~~Stella~~ WONR have fiduciary responsibility to Tribes

⑮ George wants to work closely w/ FWS on all areas

	Collector	(obligations)	(left)	
3. 11/18/93	105 000	46,390.71	58,609.29	for FRFB FY 1993 working fund allocation (from Frank)

4. John B.
- Stella's got cc - Trustee letter (should cc)
- tell people who ask that must stating; answer about cc - Trustee letter only if asked directly (hold off if possible)

4. Frank called Bob Eschenroeder about carry-over (Janet Talbot)
- Frank made memo on expenditures: to Eschenroeder

5. Dan Thayer (BIA NRDA 503-231-2326 Portland)

7. Meet w/ Marcia post-mark on Menadji
- 2 issues: NRDA rebuttable presumption or guidance
- must sell to ~~[redacted]~~ ORS + B.C. Soc. - do pre-assess. screen

8. Must converge some body (don't know who)

9. I will call Mark Canelli: unless he says unnecessary
I will ① write pre-assess screen ② write memo of ~~meeting~~

~~[redacted]~~ John B.: re WONR letter; write memo on Tribes; try to get FWS to write memo; as Stella letter if necessary

10. Call w/ John B.: Frank; D.C.; ELTO (Jessie Inglang Frank Palaise)? ① what's going on ② Cleppy political update ③ showcase national program - need for complete support ④ get FWS to show that G.L. Ecosystem; we must get in over head (gamble): G.L. good place to start
- ~~[redacted]~~ ask for decision from Molly for G.L. target $ on Fig 3.

11. talk w/ Frank, Janet, John about meeting, other topics
12. drive to Green Bay w/ Janet

06 DEC 93 WEEK 5/04

1. read MHx draft document from Dave P.; fax to T.J.
2. meeting notes in memo
3. call Don Rusch about transferring $65K
4. strategize w/ Ken on FRGB (reviewed meeting previous FRI).
5. Pete Jopke: ($100,000 – $10,000,000) for Nemadji River; based partially on our report [off the record]
- review of meeting
- tactical questions
- Egypt asked to give info to 5th floor last week
- Bob Patterson against NRDA because ① Fed. permitted release; ② can't recover for remediation (both wrong in my opinion)
- Bob presenting hindcasting: Pete will send abstract
- Pete: any possibility of GS-9 in Madison – good location
6. Terry Anderson: status?; WDNR asked us not to do NRDA but we said have to; Terry would like it if we met w/ us this week to formally write story
6. call Frank: I said Terry did background on NRDA last month – know details of NRDA provisions & potential applicability to FRGB; calling weekly to know if/when we start; called today – I said we decided to go forward (per J.B.); he wants formal interview this week
- Frank: PDA2/J.S./K.S. interview – have Janet decide who says what
- I said: alert J.B. because if Sam or he want someone else to do interview or have instructions – need it quick
- I am concerned that it will be very difficult to convince others that I am not "feeding the press" (aka FWS) – rather, I am answering questions factually as best & dispatiotately as I can
- I am informing Frank, Ken, & Janet that Sam's wish for quiet may not be possible & that if asked to answer questions, I will w/ complete, accurate info.: instructions?
- may be advantage to staying out of limelight, personally
7. talk to Janet & Ken & Frank
- covered same ground
- Janet will be lead interviewer
- Frank & John B. interpret Sam's position as – do not seek out the press & rile them up, but must respond to legitimate inquiries, incl. Terry Anderson
- Janet & John will talk; then I can call Terry
7. Beth Willis (ATSDR): FAX Nemadji R. Report
- 404-639-6315 (FAX)
- just short version
- sent
8. FWS shuts in
9. Don Rusch: Rich Bishop has proposal going; Don needs memo from F.S. w/ amount, etc. to Don directly; $65K
- told Jackie: ok'd memo Janet → John → Don R.
10. memo on Trilies & press to Frank

11. Janet: talked to John B. about press: set up interview w/ Janet Bad for MO-TO (or FRI)
12. call Tracy Andrus: 2:00pm MO
- Janet main interviewer; 1/2 hour
13. FAX 2 memos to Blake

07 DEC 93
1. talk to Ken about Aconcagua site
2. distribute FKGB meeting memos
3. close mail
4. call Mark Conelli: left message
- FWS estimate of claim: $30K - $2M
- likely FWS claim ~ $250K
- get in proper form for OOJ: FWS → OFS → ORS → Dep. Sec. → OOJ
- what form; possess. screen per regs.? complaint as EPA?
- what relationship between Mark Conelli & Nancy Kaplan on this
- mail full EPA WQS report on NHx to NJ. (both sides/page)
5. mail full EPA WQS report on NHx to NJ. (both sides/page)
6. memo to Frank / Pete. S. on NRDA $ carry-over - mail FAX
7. call Marcia Rimbaud: left message
- Environmental Law Reporter? - can't locate - County Library
- Western Pulp Discharge decision: Fed. Dist. Ct., Alaska
- last 3 months: get cite (she may be able to find w/o)
8. read BCNH paper
9. read copy of proposals to Tom Custer & Sue Gilbertson
10. call Frank & talk to Ken & Roy about sending proposal to
- backlog for Nomadic FEIA: represent 40 parcels interests w/ health effects
- Ken about WDNR claim: valuable comparatory damages have on our & EPA-Atlanta state (capability)

- double recovery problem potentially; lack of coordination problem potentially; need to find out what DOJ wants & how to do it quickly
11. Fax memo on NRDA hearing to Cyndi Berry (NPS)
12. Travel memo for MN

08 DEC 93
1. work on memo for LRGA costs (admin.): finish & distribute
2. Jerry Anderson
- will bring photographs
- who did we meet w/ in WDNR? (Mayer & Lumi)
- are there any admin. docs yet? no; may be soon
3. call Frank Forsyth: not there
4. tell Janet - not here
5. tell Ken: he will about RO, he told Dick (atty, NPS) - Dick said Ref WDNR spoke for themselves
6. Mark Conelli
- basis of our claim (range / best guess)
- tribal question (gave cite & argument)
- format - he'll check w/ D.C.: 1 complaint w/ multiple counts or multiple complaints
- Marcia Rimbaud has info. (he'll call)
- pre-assessment screen & rebuttable presumption w/ delay - a more expedited?: EPA-style complaint or something else?
- doesn't know about OFS internal policy - may not be necessary to involve D.C.
- he will do whatever OFS/OOJ says is best approach
7. call Nancy McClain about FKGB: not there; message - back tomorrow

09 DEC 93

1. read EPA '76
2. call Frank: left message
3. time sheet to Jean
4. call Nancy McClain (725-3510): co-trustee letter FRGB
- not signed yet; hopefully today; has been there several changes
5. call Shiela M-H: talked to someone else
- will look for room & get back to us
- Room for 250 people available: 77 W. Jackson
6. send Jim Giattina NRDA proposal & note on CUM & GB M.B.
7. call Frank
- GLNPO / Giattina: sent proposal
- co-trustee letter: in Sam's office (put Marvin yesterday
- Nemadji: told about DOT claim
- very long conversation on processes screen vs. response
Mueller → Marcia; OFS role here & generally;
best strategy to apply CERCLA leverage
to BN; hopefully DOT will set clear path;
otherwise, Frank & I will decide next week
- I will talk to Ken Tenner about OFS/FWS
8. call Pete Jopke: out

10 DEC 93

1. call Pete Jopke: not there
2. read EPA '76
3. call Nancy McClain: letter signed yesterday (FRGB co-trustee)
4. call Frank: he is FAXing letter
- respond to Marcia in writing on options & preferences
- I will write memo on 2 tracks (regs & sect 122); Frank will attempt to get Marcia for conf. call

5. memo on Nemadji: tracks: finish; draft to Frank; finalize
also note
6. co-trustee letter to: Ken Tenner; Sue Gilbertson; Tim Dwelger; Pete Jopke; Tom Dawson
7. call Frank about Nemadji: left message
- send memo; Marcia no time to talk about it
- getting G.L. Model - will send
8. we have database from FL FWS

13 DEC 93 WEEK 5/05

1. applaud dBASE into program: file to Jackie
2. co-trustee letter to Mary Tulghum (EPA ORC)
3. tell Terry Anderson that FOIA request if he wants letter
4. staff meeting; FRGB NRDA intro / review
5. Rochelle Lowenz (Nemadji FOIA)
- Report; they want documents from our office
- ~1500 pages of catalogs
- told her 3 piles; told her anything will be
is not based on new info. & is between
her attys & ours
- she will call back
6. Terry Anderson: interview w/ Janet, Ken, & cb (tape
- purpose of NRDA; Mechanics of NRDA
- State Response to NRDA? Will DOI proceed unilaterally
yes, but we do not see as different process, except for legal leverage @ end
- State purpose: RAP / Remediation; we restoration / compensation
- State vs. Fed. N.R.: Migratory birds, end. fish, end. species, for us.

- timing of our action; State co-trustee letter; Tribal letter probably soon; pre-assessment screen (decision document); start of PRP: w/i the year will be done; 3-3½ years to claim or no-action
- letter from Tony: for co-trustee letter
7. call Pete Gaske: not there

14 DEC 93

1. Analia (Barrington): TRC + NH_4
   - EPA gave info. - minimal: too complicated for NH_4; TRC intermittent
   - I said: include criteria, but still allow site-specific for intermittent TRC + NH_4 modeling
2. fine tune AQUATOL
3. Analia talked to Joan
   - TRC: discharge
   - NH_4 criteria needs to be updated
   - TMDL for NH_4/TRC (exempt from certain procedures
   - my advice: don't let EPA off the hook, but don't go to war over it (put it in the record/don't call prospects)
4. call Lisa Williams: left message about noon
5. call Frank about Congress: not there
6. ask Janet about Congress: she has call in to Tom Dawson
7. call Pete Gaske: not there; left message; called back, Tom was not there, Pete will call back tomorrow
8. AQUATOL
9. call Tony Lortz: left message
10. call Pradnia: detailed message for Mass Balance data meeting in JAN or FEB

Room 331
↔ W. Jackson
Jane Kruse 312-353-4244

11. call Jim Dodgen: no answer
12. Janet: John B. wants FR/GB briefing statement for tomorrow
13. FRGB Briefing statement for D.C.; to RO Affairs
14. call Valley Rd's office about NRDA story, per Janet's request
    - 494-2918 FAX: send written summary

15 DEC 93

1. revise briefing statement + FAX to RO (Doris cc mail)
2. call Matt Richmond about FRGB: left message
3. read ESA '78
4. Matt Richmond + Jim Santelle (Civil Division)
   - send co-trustee letter and story
   - let him know if someone from DOJ needs to be assigned
   - he thinks it's "about time we did something"
   - keep him informed
   - send co-trustee letter + funding proposal
   - they will open matter there: Matt is contact
   - I should brief for ~1 hour on or after holidays
5. Janet: apparently work can not lobby, incl. raising $ from Tom R. Coulton
   - contact Senator Kohl's office (FED)
   - contact Peter Rocke + Spencer Black's office (WI)
   - contact Sen. office (David Kluever) (WI)
   - Janet will contact Rob Gubbs (WI)
   - prepare letters for all: she will divide w/ Tom to send
6. Proposal + co-trustee letter to Matt Richmond
   - sent w/ addl. memos

7. letter to WE + U.S. Reps for Jeanie's signature; fax to her
8. ~~call~~ 1-page briefing note for reps (info)
9. call Barry Anderson
- story about Dane; talked to Dennis - not committed;
waiting to talk to Chris Grandbois
10. left message for Frank about DOS
11. go thru Frank + Anderson files

18 DEC 93

1. revision to reps letter + fact sheet (FRGB): to Janet
2. call Bob Kelly Madison office (608-264-5338)
14 W. Mifflin Ltr, Suite 3R
Madison, WI 53703
Eve Galanter
3. call Russ Feingold's Madison office (608-828-1200)
Joni Galanter (Milwaukee 414 276-7282)
517 E Wilson, 608
53202
4. STAC meeting
- Ready: move publics way upward, committee to
- WONR: DOA problem w/ WONR lobbying for funding;
NPDES requirements for monitoring (copper specific)
5. Matt Richmond: very upset about case; talked
about PRPs; WONR; Downer; Congressmen;
Lake Michigan impact; 40 tons left; turbot cooler;
single bay; outlet; bay of w/ our study;
continue to coordinate + send info.
6. call Spencer Black (608-258-7521): P.O. Box 8952
53708

8580

7. call Peter Bock (608-258-~~8888~~): St. Cap Room 209 N
Madison 53708
8. call Rob Cowles (608-266-0484): P.O. Box 7882 53707-
Madison 7882
9. Pete Joppa is sending info on WONR/Egypt - keep to
selves; very frustrated; send WONR response if
we get one
10. call Tommy Thompson's office (David Theisen) (608-266-1212)
- not there: attn. ↗ Rm 115 E St. Cap. 53702
11. call ~~Outlook~~ Marcia Kimball about Tribes: left message
12. call John B.'s office (Nancy McClain)
- Green Bay Press Gazette story filed - co-trustee
letter to WONR until he common knowledge; ∴ Tribes
will know they didn't get one
- fast out, track out, Marcia Kimball unavailable
- we should send ASAP; if we are, should call
Tribes + let know
13. memo to Reilly on FRGB; sp
14. Marcia Kimball: FRGB ~~total~~ question: prod map;
why story?; details; some Tribes will be
trustees
15. John B.: G-B P-G; Tribes: yes - soon; extent:
WE for now; maybe MI later.
16. call Pronunciation Tribe: done
17. call Oneida Tribe: 869-1450. (King w/ BIA ext.
Tribe; one before
17 DEC 93: Chicago; meet w/ Doug W, make my pitch, found on hold by GB staffer
(copies of notes)
20 DEC 93 - 31 DEC 93 VACATION WEEKS 5/06 - 5/07