14 DEC 95
1. Leslie Lehnert: email from Roger Grimes
2. Kinder/gentler 104(e) - done & FAXd

15 DEC 95 (in Marysville)
Ken: Frank & Janet said now is not right time to look uncooperative - should make myself available for RD's meeting this week
- me: only if RD actually wants me at actual confirmed meeting

19 DEC 95 → 02 JAN 95 WEEKS 7/05 - 7/06

03 JAN 95 WEEK 7/07
1. look at mail
2. look at RIF staff
3. talk w/ Joe about what he worked on
- segregated file for KCIG & bibliography
- library for bibliography
4. talk to Ken about injury workshop
5. talk to Josh: no info on Phase II contract received
6. talk to Josh, Hector, & Ken about injury workshop
- eagle work most pressing
- Hector & Ken work on elements of proof & data available
- shoot for week of 18th (Cheryl put together data)
- DDE/PCB effects on eagles; exposure in Green Bay [Ken]
- grounds for PCB eagle injury?; if yes - what further data needed to pin down (pathway & injury); what will this contribute to case [Hector]

04 JAN 95
1. read
2. talk w/ Joe
3. Ken: talked w/ Hector & Cheryl
- meeting instead of call
- probably in Chicago (LE office @ O'Hare)
- 18th; maybe 17th; maybe Tennessee MON or TUE
- Hector will handle confidentiality
- Cheryl will distribute info. by 10th
- issues: DDT/PCB autocorrelation; list of participants (John Elliott, Linda Welsch, Jan Nisbitt, Ken, Cheryl, Hector, Josh, Wegmeyer, Kubiak, Bauerman, Bob Anthony & Chuck Henry) pathway (wintering area; where feeding what fish)
- Cheryl will set up for catching eagles, in case green light (radio telemetry)
- ask group about extensive look at DDT/PCB for this case (settle once and for all)

05 JAN 95
1. Hector: Kubiak willing to come if furlough over; may not be able to travel; NRDA funds to cover?
- any news on settlement by State? no
2. talk to Ken about ↗
3. ELR

08 JAN 95 WEEK 7/08

1. call Sue Kozarek: she never got amended acquisition request
2. Jackie: thought she sent it; will check
3. ELR
4. staff meeting
5. RO – RO-wide conference call: ~~[illegible]~~ directed transfers instead of RIFs
6. Janet: contact people about 16th or 17th
   – also, put something together about funding issue
   – also, must let Brian go; may bring Joel over to NRDA if enough $
7. Ken: talked to Chuck Henry about eagle meeting; face-to-face preferred; need to collect fresh eggs vs. added eggs
8. call Shelly: left message about 16th/17th/18th meeting
9. call Leslie: left message about 16th/17th/18th meeting
10. call Josh Lipton: available 17th (also 16th if eagle meeting moved/cancelled)
    – CR vs PCI budget decision; could do reduced planning effort and/or field directly
11. Roy: Joe Budson reserved room for 16th all day
12. call John Ross: left message

09 JAN 95

1. ELR
2. updates for Joe
3. Hector: I told him about meeting delay & reasons; he will call attendees; told about Cheryl's thoughts on fresh eggs; have Ken call about SOPs
4. call Joe Budson: left messages on voice mail and sec. voice mail to cancel room for 16 JAN 95
5. call Mike Lokengard about 17th meeting; left message
6. WY s to Jackie

10 JAN 95

1. work on resume
2. Janet: fund. & part. agreement? no new info. – what do people want? legal doc (me? Shelly); prose for Shelly?; flip charts
3. John Lindsay: NOAA guy will call Hartwig
4. Frank, Janet, Ken, Joe, me
   ① FOIA: ccmail on NWF FOIA response; awaiting Shelly's comments
   ② last 3 days ~~[illegible]~~ at RO; ~~[illegible]~~ Shelly & Leslie not coming 17th nor 18th; Christian & Hartwig found out from Nellen – 18th 11-1 – PRPs only; Shelly wants more time for fund. & part. (Shelly locked out); come in late morning on the 17th
   ③ fund. & part. agreement – substantive parts (Christian wants) – 1 step beyond flip charts
   ④ contingencies for budget
   ⑤ Hartwig will talk to Priscilla about OFS help on cases other than Sag. & Green Bay; have Tom Jacobs monitor meeting w/o telling Shelly; Hartwig wants fund. & part. agreement in Feb. (1st or 2nd week; 3rd if necessary)

11 JAN 95

1. tell Jackie we need $ figures for RP: salaries & NRPA $
2. Josh: meeting update
3. messages for John Ross & Mike Lokesgard
4. resume & reference
5. call Tom Custer: updates
6. call Leslie Lehnert
   - not necessary (in Leslie's opinion) for her to attend 18th PRP meeting if PRP presentation only
   - updates
   - may participate by phone on 17th
7. call Shelly: left message
8. ELR; send info to Frank, Shelly, Leslie; Cathy, Janet
9. scope of work to Jackie for Steuer support

16 JAN 95 WEEK 7/09

1. Shelly
   - Mike Flint; David Buente; former DOJ; now w/ Sidley & Austin; meeting w/ Shelly & Pete on Friday
   - talked about AT&T & PRPs
   - talked about FOIA
   - talked about funding & participation: general & agreement in principle
2. talk w/ Janet & Frank about tomorrow
3. talk w/ Janet & Frank about tomorrow
4. read materials for tomorrow

17 JAN 95

1. read info. for meeting
2. read manuscript on PCB model by Hagler
3. read ANAP & annotate
4. meet w/ Janet, Frank, Josh, Shelly
   a. Budget (Shelly divulged #'s (Josh in the room)): $708K can be spent through January ($589 of $1.7 plus $118 carryover) awaiting DAS signature
   - Priorities: (if $1.3M available for phase III)
     ① meet w/ eagle people for options } 500K
     ① meet w/ fish people for options
     ② $100K for planning the restoration for initial settlement position
     ③ $500K economics (link to injuries) (CVM - like activities: survey work to justify restoration plan; also fits w/ NOAA
     ④ $300K cushion (if get more $, add to injury case: (lab/field connection)

what if only $450K for phase III
① fish/birds: $300K ← (prove something broken)
② restore planning: $50K ← (affirmative effort for prong 2)
③ economics: $100K (justify rest. pl.)
④ contingency: $0K

what can PRPs contribute to? (both tracks)
① Josh has overheads

5. meet w/ John Christian and Janet Smith; directed transfer: 30 positions (16 w/i Region; 14 to R4 & R1) - noone loses job; but new CR may use lowest #s from House, Senate, or 1995 - could we start RIFs

- not to exceed $230K w/o further approval (Chrysler, Ford, GM; Janet to do K.)

- NRDA - need to show Bill progress on prong 2; John C. may meet w/ State (Kevin Baker); other discussion

6. Meet w/ Mary, John C., Shelly, Josh, Rob Nelson, Janet - preparation for PRP meeting; review progress - ask for confirmation of willingness to participate in that manner; tell them we want to hear about other PRPs - give us info; use presentation of info as impetus to info requests & data collection to prove contributory allocation
- backed out schedule for FPA (draft of 26 JAN 95; PRP meeting on 23 FEB 95 (other steps on calendar)
- Josh presentation on FPA ideas (see over heads)
  ① restoration planning (a la FRC)
  ② NRDA
  ③ project acceleration: show that system is broken - slap on; desire settlement w/ injury proof (cost) as prong 2 large deposit for the study for a fused headed
  ④ PRP funding: to Good Committee; ① restoration work group; GIS system data collection; fund novel restoration technology research; Cooper assess. Plan; Group A.D.; PRP source allocation; funding of studies
7. Chief Planning (Sam)
- FRN on ANAA: hold it (Planning) until after FPA negotiation further

1. FPA letter (draft to Rick & Shelly)

18 JAN 95

1. meet w/ Shelly on Josh's PRP participation issue
2. PRP meeting (see sign-in sheet)
- intro (Planning); players need to be brought in (other PRPs, USDOE, other co-trustees, other agencies); 2 proposed approach - sequence; restoration is common goal; draft FPA for next meeting - attempt to get resolution on issues & back to FPA
- Mandelbaum: NCR substituted PRP (most substantial) - see handout; AT&T Global became NCR again; successor to Appleton Coated Papers Corp. (offspin of the Appleton Papers); all of the PCBs from de-inking is from NCR paper (product) - contained PCBs as dye-solvent & the coating itself was produced in Botany; Coating done at 3 plants + 2 on Fox River, val. Appleton Coating; Also Combined Locks Co.; both had PCB discharge w/ Aroclor 1242; Admission of PCB discharge in AT&T v Appleton Papers dep; also supplemented by PRP records & Appleton Public Library; also NCR produced waste & broke (off-spec product after coating applied); broke was sold to recyclers - val. on the Fox River; that qualifies as arranging for disposal under CERCLA - recognize contours in courts; in addition (more important to PRPs than trustees) allocation issue! U.S. v. Atlas Mills on successor corporation liability: NCR would have substantial share of responsibility for PCBs in normal commercial production for de-inking; NCR was only entity which [illegible] of the PCBs - current PRPs are like a POTW in pass-through; AT&T probably would come to table w/ PRP letter

1. [illegible] email info request to Frank

- additional PRPs: 2 POTWs (Appleton and Neenah-Menasha) (WISTES); also PCBs found in effluents in 1970s (later period); but consistent detection/processes over time
- Van Lieshout on other PRPs: will send info soon; VERSAR 1976 report (we have this) - interviews of WDNR, incl. Kleinert - provided data of PCBs in effluents; will send 2 tables from that; game the list.
- Mandelbaum: also other compilations; Green Bay Met & Depre may have discharged 1258 Aroclor
- Van Lieshout: will send relevant portions; also looking for additional info.
- Hartwig: need written material; send more; we will be requesting information from AT&T, as well as other PRPs; we need to understand fully & be complete;
- Hanson: 104(e)?
- Shelly: probably.
- Nellen: want to talk about who should get 104(e)s; Stan Kleinert is key player; PRPs can point us in right direction
- Hartwig: once past, PRP issue, can delve into 2-prong approach; Restoration planning needs much more work
- Mandelbaum: should get PRPs in quickly before too much further
- Hanson: PRP version of FPA, as well; will send version for consideration
- Hartwig: next meeting - maybe 23 FEB. Shelly: but must coordinate w/ trustees; on 23rd - negotiate FPA

1. [illegible] 1. [illegible] 1. [illegible] Claudia Johnson - Schultz 1. [illegible] Linda Holst

3. talk w/ Shelly & PRPs about AT&T contacts
4. de Brisfy w/ Hartwig and Frits
- need close coordination w/ Tribes; need Tribes to realize acceleration of process
- Janet lead on briefing Tribes
- schedule adherence (pre-meetings w/ Tribes & other co-trustees
- FPA ASAP; can attempt to incorporate some of their ideas in their versions; can trade SOL toll for litigation stay
- Bill will call George Meyer today
- Shelly: MI Co-trustees? could time it w/ PRP letters; also need contact w/ EPA and WDNR & mollie and NOAA and ACOE (Shelly & Frank, Janet lead: need game plan of meetings and letters)
- AT&T analysis: early next week decision
- other PRPs: make recommendations ASAP
- reports: share info. w/ co-trustees; but don't make copies
5. Conf. call w/ Charlie Wooley, Lisa Williams, John C, Frank, Janet, Shelly & Herb Nelson
- MI cotrustee letters: go ahead; probably won't play; Charlie may talk to Harding to get "pre"-reaction
- EPA contacts: Stu Hirscht (ORC) @ EPA is the contact (Shelly & Leslie worked on that)
- EPA/GM meeting on CNTS @ Sag. Bay: reopener issue (3.0 ppm trigger objectionable to GM)
6. work on schedule of activities w/ Shelly, Frank, Janet

19 JAN 96: stay home: PRP info; call Mike Lakeragard w/ updates; talk to Joe about CEO addresses; phone II w/ Jackie, email 104(e) to Joe

1. 3. ~~K~~ PRP recommendation 22nd; any letter 28th

22 JAN 96 — get ATT & ARI registered agents (call ATT and WI Sec. of State) — WEEK 7/10

1. PRP letters; info requests: recommendations to Frank, Shelly, Leslie, Janet; FAX & email
2. clear mail
3. talk to Bob Rowe about GLNPO G.L. econ. report; send — he will copy & return
4. Shelly: returned message
5. Ken: wants to talk about priorities under 50% cut scenario
6. call Frank about 8th co-trustee meeting
7. call John Koss about 8th meeting (co-trustees): left message w/ George Howlett
8. Shelly Hall
   - FPA: ① what are triggering events for participation; how does it end?
     ② $200K/PRP? right amount for PRP parts?
     ③ Assessment area definition needed
     ④ has 5 titles: not filled in yet
   - she will call tomorrow
   - AT&T discussion and PRP letter discussion tomorrow
9. work on memo T.J. → Tuchman on GLNPO proposals; FAX & to Leanna for email
10. travel voucher to Leana
11. read

23 JAN 96

1. update chronology
2. read & catch-up & file
3. call Leslie Lehrer: updates
4. finish reviewing ANAP
5. Diana Lane: send info. on allocation of responsibility
   - put together materials w/ note to Diana
   - give to Leanna for copy
   - highlight index file
   - send
6. call Linda Holst
   - Saginaw Bay CNTS; main issue is re-opener, not concept of FPA CNTS.
   - Green Bay could end up in same place; Hawtuning will probably make contact w/ Dave or Val on this issue: we need to add substantive ORC/$FWO discussions to GLNPO policy discussion; also Tribal issue (WI opposed to Tribal involvement); Linda will alert Val & Dave
   - updates
7. call Frank about ↑: talked about Sag Bay & Green Bay; she will FAX ORC memo on Sag. Bay
   - I will send draft letter up for RO → EPA w/ the messages (need ORC/$FWO to engage Green Bay; worried about WI position on Tribes; Prong 2)
8. Tom Custer: $ for field season; Sheboygan & Wi. R. very probably; Fox River — maybe a little; [① fish ② eagle ③ other] [restoration planning] [econ] [admin]

9. John Rose: moving of 9th retreat of 8th for co-trustee meeting; tribal chairman in D.C. & wants to be @ the Kaibab meeting
- call Dick, Shelly, Mike Lobsiger (message)
10. Nancy Spencer: aquatic toxicologist @: 202-514-1308
- call Tom Custer for Colby Schuelle #: not there
- look up U. of AZ coop # @: 602-621-1959; wrong #, not @ U of AZ
- call F.F. & Son: 505-848-8126 (N.M.)
- call N.M. Coop
- call Nancy Sperer: left message
11. Tom Custer: read memo RO → NBS for technical assistance @ Lobsiger & Wis. R.: clear path for Tom w/o formal study plan (overhead)

24 JAN 96
1. RO - RO-Wide conference call: directed transfers coming w/in region; furlough likely if 25% cut in C.R.; RO wants RIF authority if severe cuts (e.g. 25%) but SEC does not; '97 will likely be slightly worse ∴ elimination of some positions and programs is a likely necessity; speed of decrease will dictate necessity for attrition vs. attrition w/ furloughs vs. RIF
2. read
3. draft agenda for John Rose; fax to John, Mike Lobsiger, Shelly, Ernie, Janet
4. Lisa (Hayden) (303-449-5515x317): can they re-bind GLNO doc? yes
5. work on letter FWS, RD → EPA, RA; FAX to Wally, Janet; Brady, Shelly, Lisa, Bonnie
6. Dear Face: manuscript; glacial only; surprised by LK on > Dear Bay

25 JAN 96
1. Mandy Meador: still pregnant; 203 weeks from now (max # per day to reduce variability: 2-300 gm/d); have Lansing #s: could prob. use @ Baltimore/Washington airport; 301-497-5710
2. answer fax
3. Talk to Jim about scenarios up to 50% cut; fold: 4 tapes
4. read Sea Lion book
5. Shelly Gall
- FAX to me on Friday; post for R.I.; not implementation; 30 days after R.I. Shelly alert implementation in good faith; subsequent agreement will go into cost issues; sector or location, as well; still have questions on termination & costs, but can start to talk
- talk to Roger Gwinn for 1 pm yesterday; update the Kaibab Gal. from conference; glad we have Lopton; [redacted] J.J.; draft memo to Shelly; ORC very aware of Sea Bay; Shelly bringing up Glen Bay connection; Elko or Bay. Bay - doing well - risk analysis coll; Ernie & Bryant to brief ERC on NRDA - Shelly brought up Tuba
- in mail: package from Marbleburn or NCR
- Shelly will talk to Lee about comp. bed
- [redacted] Lisa available 8th, 9th, 12th, 15th
- MOC

- ATPT meeting: Miles Elliot (older), David Buerte (younger); tell them what going on w/ other companies; who committed? moon; may send letters to ATPT;
- tell Frank
6. call Frank

26 JAN 96
1. Mary Walker, Ross Morstrom } #s for Rocky Mountain Arsenal
2. surname PRP letters for Frank; give to Janet
3. read

30 JAN 96: stay @ home (snow drift) WEEK 7/11
1. read Shelly's draft FPA; make notes
2. Leara, Ruby, Janet called about conf. call
3. Ken: DCCO sex ratio work; attempting to secure $ from NBS w/ Custer; update
4. conf. call w/ Shelly, Frank, Janet, Herb, Joe on FPA
- went through page by page
- Janet will check w/ Ross about 9th (Chairman want date change for attorney?); will call Frank back
- Frank will brief John C. & Bill H. today
- Shelly will send FPA to cotrustees by FRI, unless RO says must be tomorrow
5. read econ. book
6. read env. dispute book

31 JAN 96
1. clear mail
2. surname 104(e) letters & FAX to Frank
3. talk to John Ross
- 9th green light; he will talk w/ Bruce Greene
- move twenty nights discussion up in case Fish & Tellie must leave early
- have Shelly bring conf. agreements on 9th (both signed versions)
- may want to talk about L. Sturgeon tissue samples from L. Winnebago
- find out if eaglet PCB hit @ MTW included congeners
4. FAX 9th "green light" to Frank
5. call Shelly about bringing conf. agree. to 9th meeting for John Ross (message)
6. finalize agenda for 9th, FAX to Frank, Shelly, John Ross, Mike Lokensgard, Janet Smith, Herb Nelson
7. talk w/ Frank
- Charlie Wooley briefed Hartung on Ludington settlement; Hartung said that's how he wants things done; not like Green Bay; Christian suggested that Horvath & Allen could be sent to DELFO & have Charlie run Green Bay NRDA; Hartung seems very unhappy w/ Janet - very happy w/ Charlie & Lisa; skeptical about Horvath & Allen (Frank's opinions);
- Charlie says he doesn't really want Green Bay NRDA; Christian too involved, proximity, familiarity

- Bert & I agree that track 1 looks preferable given Hastings / Chester meeting; probably headed for moving much closer to WDNR position to allow non-litigated settlement, even if much lower than our estimate; momentum of track 1 seems likely to push Hastings over edge - precipitate some move to re-structure Green Bay RAP
- Bert: additional alternative might be to have Bert take over Green Bay case from RO or WSFO
- Allen: additional alternative might be for Hastings & Chester to direct Hagle w/ I from Bert to accomplish their tasks w/o us (team)
- talked about DE position: Bert says might but expectations (& disappointments) could be high; check state politics and safety net if position doesn't work out

6. talk to Ken & Joe about last meeting in RO; Christine put Janet on spot to last meeting; Janet did not perform well; pressure may continue to build on Janet; staff in bad position because being hit in front of RD might exacerbate poor impression of Janet but so might letting her flounder; need to find ways to let them prepare for before she's in front of RD; difficult because message that she needs help might be unwelcome

01FEB96

1. call Patty about conservation easements
   - FWS has method & grassland easements
   - tax questions get referred to IRS
   - easements in OH 517-0720 Diane Mastbo; Jane Prohaska (TNC)
   - Lois Gilbert Conservation Trust for Public Land in [redacted]
   - doesn't fit FWS programs
2. call Dan about ___; left message
3. call Josh about contacts for picture State NRDA programs
4. call Steve about contacts for picture State NRDA programs
   - MN: Beth Ashabranner, Remedial Project Manager, MPCA, 520 Lafayette Rd, St. Paul 55155
   - WI: [redacted] Brenda [redacted] Hagman
   - IN: Jim Smith, IDEM; IDNR Wayne Faatz
   - IL: Cindy Morin, Fed. sites Federal Project Manager, Bradford Reg. Manager Section, IEPA (217-785-3258); Tom Bonahue, Tot. Assess. Unit IEPA (217-785-0830)
   - IA: no [redacted] there
   - MO: MDNR
   - MN: Dale P. Thompson, Program Unit II, Site Response Section, Division of Water Pollution Control, MPCA, 612-296-5897
   - MO: David Mosby, MDNR, Division of Env. Quality Reg. Manager, Hazardous Waste Program, P.O. 176, Jefferson City MO 65102 (314-751-3176)
   - MI: Rich Powers, Asst. Div. Dir. Surface WQ Div. MDEQ (517-373-1949), P.O. Box 30028, Lansing 48909; ER Division in charge of response actions (in past): Allen Howard (517-335-1104)

- MI: Bill Creal (517-335-4181), WQ Aprasal Unit, G.L. + Ener Assess. Section, Surface WQ Division
- OH: OEPA
- Shelly has not surnamed 104(e) + PRP letters - Hartwig ready to sign; get Shelly to sign-off
- Ken joined w/ question: 40K base 1130 or GB fund
5. call Tom Eggart about job opportunities
6. work on options for jobs
7. talk to Dad about Nature Conservancy + ODNR
8. note to Shelly + Frank on info. requests
9. voice mail to Shelly on info. requests

02FEB95

1. Linda Holst: sent message to Ulrick; he asked about public participation on track 2; I said track 1 plus extra (but optional); I said that inaction will lead to crisis: to resolve, must ① file; ② settle behind scenes; ③ declare false victory; I said real public involvement is essential to action; action for NRDA is post settlement/award
2. talk w/ Janet
3. review re-drafted FPA; MOU; conf. agreement for Shelly
4. Hector: Tribal contacts? Ross + Lokensgard; Nisbitt + Bowerman travel paid direct by FWS? yes.
5. email FPA letter to Frank
6. Shelly + Frank: modification to PRP letters; $ w/i 2 weeks (DAS committee approved; FWS memo sent); meeting on 9th; talked to Josh - on way to Ireland; info. requests - put finance questions back in; will send FPA to cotrustees on MON; Cameron Davis asked about FOIA response - not ready - put off; David Mandelbaum sent Procter + Gamble, etc. info.

WEEK 7/12

05FEB96

1. clear mail
2. talk to Ken + Janet about J.C.'s comments on FPA (too confrontational, etc.): too late for unilateral change; can talk about on 9th; conf. call probably can't be scheduled this week; Janet will handle; I should respond to JC comments + be prepared to discuss - but don't distribute to anyone
3. Mike Lokensgard: meeting where + when? where is draft FPA; told Janet
4. review Leslie's comments + Shelly's re-re-drafted FPA (notes in margin)
5. note to Janet on J.C. + B.H. note on FPA
6. Janet
- J.C. wants us to re-write FPA w/ conf. agreement + less legalize + more emphasis on restoration planning; send to Tribes on WED - or - living as alternative language on FRI

- I said that I could: ① repackage April FRC MOU; ② repackage Tribal conf. agreement; ③ formalize my objections for record, including DM & Solicitor Manual & Delegation responsibility for FWS vs SOL (& BIA, OEPC, co-trustees, etc.)

7. call Mike Lokensgard: told him RO want changes & may have held up; also Shelly may not have sent yet; told him to call RO & SOL

8. call John Ross w/ same message: not there

06 FEB 96

1. John Christian: ① Shelly sent FPA; ② Janet & I can propose changes to Shelly; edit 3rd draft & send to Shelly; Thursday conf. call w/ Shelly, Janet, Frank, etc.; he talk to meeting on Friday to discuss; John C. available this morning, if needed (& tomorrow); express mail our comments to hotel by Thursday;

- conf. agreement purpose: ① increase PRP candor; ② create atmosphere of trust (out of paper); ③ prevent our people from talking to public; ④ we can figure out if need any discovery issues (maybe we should just write down less)

- talk to Bill also: FPA must come closer to middle to prevent initial rejection; we can be firmer there

- I said team likes the FPA: choice between

- Bill & John want prong!; need our (my) input to stay in)

- can call Lynn (Sec. for Christian)

- $1M trust fund; was taken out; thought to keep in good idea, but modify to give control to S.C. instead of trustees only; could fund each track; - we will negotiate each item as we go instead of all up front in FPA

- restoration plan provisions: FPA should say work group develops ideas (approaches, activities, etc., compensation strategies, etc.) for restoration plan; can force discussion in work group because we will include them in our restoration plan

- Shelly was upset yesterday - I need to help situation; call J.C. direct

- PRP letters went today

- info. requests in next two days: only change is took out 104(e) citation (took out sentence); can send actual 104(e) letter later, if necessary

- I need to inform when time to do things as track!

- talked to Josh about settlement outline: (Bill thinks reasonable): trust fund from PRPs over time (20 years or something): big # overall, but affordable per/year; build in incentives for PRPs - innovative approaches to reduce liability

- Bill talked to Maryann Sumi; John will meet w/ Maryann next week: feeling out opportunities; if restoration prong works - invite WDNR, even if not co-trustee

2. Frank: took hit from Shelly last night; got bloody; Frank is going to disengage from this case - not room for him

- he will call back

26. talk to Ken (Joe) about J.C. (detailed) conversation
- not coming to Kesheva
- Shelly: PRP letters signed yesterday - but Oneida cc; called Shelly; pulled Shelly out of Raynor meeting for 10". J.C. came in & talked for one hour on FPA. Shelly said doesn't want someone else writing her draft
- Frank asked J.C. if he needs to go to Kesheva; no
- 104(e) letter: are reference to 104(e) in instruction booklet - took out
- told about J.C. conversation (detailed)
3. talk to Janet & Ken about J.C. conversation (general)
4. Dixie Lane: problems getting WDNR data sets for Eco-chem QA/QC & validity tests? no - Dale Patterson; if problems KWP can pursue gen records request
- told her about $ clearing DOI - prepare for rest of Phase II
5. call Sue Kozarek: left message: ok to pay (05 FEB FAX); also funding for 98 cleared - prepare for tasks 4 & 5 of Phase II
6. told Janet that track I is advantageous to Bill because DOI funding/priority is based on litigation success

07 FEB 95
1. Shelly
- J.C. told her (MON) that she hadn't written FPA the way Bill & John instructed; GBFO will re-write
- Shelly told him unacceptable - FPA is concerning draft - not appropriate for RD or ARD to attempt unilateral changes
- John Christian backed off of positions in memo on draft FPA
- Shelly very unhappy w/ J.C.'s behavior on this FPA; also upset w/ Christian's ~~[illegible]~~ naivete; his lack of understanding; his ~~[illegible]~~ unproductive interference
- I told her that Frank, Janet, Ken, and I share her concern & impression of J.C.; also Fisheries staff here have indicated that such interference from J.C. is routine
- I told her details of conversation w/ J.C. (the Frank) yesterday; told her J.C. intimated I should be bridge from RD/ARD to Shelly; told her he appeared to be trying to use me to get to Shelly but that his position has softened post-MON confrontation w/ Shelly
- I told Shelly that I would continue to attempt to find common ground between all members of team and actual advancement of case; that I would continue to operate w/i the confines of the complex web of law/policy/directives as I understand it; that I would include her in all discussions, both as attorney on case & trusted colleague
- Shelly said she can not operate w/o openness & candor; will confront J.C. & Hartwig if necessary; will escalate if necessary; could never leave case over this
- I said that I will support my positions w/o regard to

popularity (even of my managers) & that Shelly already knows most of my positions, and that those positions tend to track w/ Shelly more than J.C.
- conf. call tomorrow @ 9:30 am; 11:30 living in J.C.
2. talk w/ Joe, Ken, Janet; potential collision between team & RD/ARD - may be precipitated by Shelly's stance
3. review 3rd draft FPA for J.C. comment inclusion
4. notes on last several days to file
5. John Ross
- ~~send~~ living VERSAR document
- he will ask Frank for FPA copy (mine is scrambled-over)
6. Janet: J.C. wants edits by 3:30 today & wants conf. call w/ Shelly earlier
- I said not possible
- she said spend less time talking
- I offered to not inform her of developments next time
- she said didn't mean that
7. message from Diane Hershal; gave to Jackie; she needs documentation for sole source; told Ken; he said only one who does it; Jackie said write it down
8. note to J.C. on liability/settlement strategies
9. work until 8:30 or 9:00. FAX FPA comments & settlement strategies to Shelly, Leslie, John Christian

08 FEB 96
1. conf. call w/ Shelly, Leslie, Janet
- need more separation between prongs - maybe 2 FPAs
- prong 2 FPA could specify more detail on the type of discussions
- RO and attorneys far apart - big problem
- Shelly @ Madison
2. conf. call w/ Shelly, Leslie, Janet, John C.
- Shelly: go to 2 FPAs; or one document w/ 2 parts; attorneys will handle language; meeting tomorrow on concepts & ideas to be in draft FPA sent to PRPs
- John C. wants to discuss language, even if not it detail; prevent derailment
- Shelly: purpose of schedule & conf. calls is to keep from derailings - works well; attorneys will also handle the negotiations
- Pete Raynor joined
- John C.: client should have input, even on language; managers interact with core team (FO & attys); Bill & John had expectations; FPA good start - but changes needed (e.g., conf. agreement); John did not get draft FPA; had comments when saw
- Shelly: attorneys will, of course, share drafts w/ FWS, BIA, OEPC, DOJ; need to limit layers
- John C.: management will review products; Shelly, David, Frank core; but review
- Shelly: review must fit schedule
- John C.: FWS has lead for coordinating w/ agencies; need proper review

- John C.: if disagreement between J.C. & Shelly, need procedure to work out; can elevate to Bill H. & Pete Raynor - w/ Leslie's input
- Shelly: hopefully won't come to that - PRPs are real opponent, not each other; need open process; 07 FEB 96 memo Allen to Christian; no discussion before hand - premature; hope not shared outside of FED.; premature; DOJ & SOL very concerned about any settlement discussions w/o attorneys; even consultant discussions
- John Christian: mentioned this @ last meeting
- Shelly: written documents not thru SOL are very problematic; privilege problem
- John C.: you were aware
- Shelly: no discussions can leak; move outside DOJ w/o SOL & DOJ!!!
- John C.: did not ask for that level of detail in writing; but very helpful to him; no intention of discussing w/ State; "settlement" based on filed litigation - prong 2 though could end w/ settlement - & living in WDNR
- Shelly: attorneys must be involved in pre-litigation settlement discussions w/ State, PRPs, etc.
- John C.: can't agree to talk w/ attorneys only; Bill talks to George & may need to talk to PRPs
- Shelly: difference between talking about moving together on process & talking about settling the matter
- John C.: Bill asked J.C. to talk w/ Maryann about FPA & how to move forward, etc. - not 07 FEB 96 memo; framework issues
- Pete Raynor: NRDA different than other FWS programs; all endpoints end in relinquishing a claim ∴ must have DOJ (& SOL) clearance; different than 99% of FWS activities; must prevent FWS from going down path that won't sell; Shelly serves 2 bosses on NRDAs: FWS and the SOL; tough job
- Shelly: just ask attorneys if they believe that they should be there; e.g., Sumi is an attorney; Bill's efforts have gotten us further than attorneys could have; but some things will require attorneys
- Pete: SOL/DOJ had difficult time; collaborative (internal) will work
- Bill/Pete coordination may be necessary at times; fine (Pete & John C.)

* the proposal:
- J.C.: would like FPA that is collaborative (more on prong 2 than on prong 1); NRDA: give up nothing - just share documents and mutual studies; determine by steering committee; David's comments get us there; on restoration side: more open; create environment to work on alternatives: primary and compensatory; very collaborative; even if just a few elements agreed to, success; $1 million figure taken out - need to float a number
- Leslie: 2 different documents needed: because $ must be kept separate & negotiation of both at once too difficult;

- tell PRPs the whole amount for the assessment – let them make an offer & talk about it
- V.C.: push forward at meeting on FKT
- Shelly: NRDA must stay on track – 1st priority; track 1 will be narrow, track 2 limited time frame (if to be relevant and workable); collaboration works much better on prog 2 than prog 1; all players agree
- J.C.: don't care if 1 or 2; just both should be as collaborative as possible
- Shelly: on NRDA track: very narrow opportunities because of extraordinary short time line; prog 2 has the opportunities
- David: progs don't conflict; track 1 fewness does not = track 2 flexibility; track 2 flexibility does not = track 1 distraction
- J.C.: agree. But isn't there a possibility for collaboration on track 1 studies, in some instances
- Shelly: current FPA is the A.P. planning stage; the A.P. implementation FPA can be negotiated – just want to prepare to reduce PRP anxiety to do real track 1 also 1st FPA easier to negotiate; follow up if unable
- John C.: can we include provision to talk about implementation phase
- Shelly: letter to use 1st FPA as trial balloon
- John C.: can agree to that; can just rebalance implementation opportunities
- Shelly: also stay of litigation is out because of CERCLA authorities; talk about time FPA letter to [illegible]

- Joy C.: re public scoping down
- Shelly: A.P. out to public; just use all offering access beyond the publics
- S.C.: amount eligible – groups can decide
- V.C.: just want to avoid "in your face" – only to gov
- Shelly: always evaluating NRDA work re: species settlement decisions sometimes forced to settle (Hoge Bay)
- J.C.: idea to find an engine to start work which could restore site (don't know number will be exact or ready – just thinking about orientation)
- Shelly: how do we coordinate track 2 w/o impacting track 1 is important question for FWS & Tribes
- J.C.: agree
- discussion of agenda ① treaty rights & litigation discussion; ② re-give Bills quantification; ③ Shelly or FPA (J.C.: consider ④ avoid) comments; also, other had some detailed comments [John C. will provide comments to Dave; David can explain team's decisions on John's comments]; ⑤ NFTW resources very important to hear about this (report to Ross); ⑥ MOU – looks good!

3. clear mail
4. call Frank: asked about 104(e) letters; draft message
5. Steve Pade: comments from Larry Shepard gave name, MO
   - told about 40 CFR 11
   - gave Frank's name
6. give Congressional Operations course stuff to Dave
7. John Ross needs FPA; tell him to get from Dave; he's upset; will try a phone message for Shelly; [illegible] next; called Bill: no time

- Janet coordinate w/ Tribes (Oneida contact)
- Janet get dates needed)

1. - find out about Nelle from EPA

- how about get it from Oneida?
- how about if our attys cc your in-house counsel in addition to Greene
- John Wilhelmi; will talk to Chairman

8. call Lisa Williams about WL meeting: left message
9. call Tom Custer: no answer

09 FEB 96: Nelson meeting DOI/MITW/Oneida (see sign-in)

1. - Intro. (Tellen the Christian)
- Treaty Case (Kenneth Lish): expected ruling on dismissal in NOV - none yet - expected soon - MITW optimistic; interviews: MI Paper Council trying to merge NRDA + treaty case issues - MITW trying to keep separate; case is WI-specific, but some evidence of MI lands as well; trustees should resist recitation of jurisdictions; all trustees just claim the total resource
- John Christian: handed out flip chart notes (went over presentation to PRPs) [Nelle most sophisticated not most amenable] my comment "Hamper and the Glove"
- Tribal N.R. which could be included (Ross)
  - turtle, eagle special interest culturally (Tellen);
  - wild rice as food source important resource
  - Duck Creek concerns (Oneida)
  - may need to look at Tribal World View: special relationship to N.R. + the land (land ethic) (religious); should MITW hire contractors? yes + no: we can cover some of it, but special Tribal consultants would help; could also go to revolving fund; could talk w/ Ada Deer

- need flow chart of how trustees fit into NRDA process
- Pat Parke for 25th + 26th
- BIA has Litigation Support Fund + Waste Management Fund which could possibly be tapped (Nelson)
- Oneida's meeting next week on this + other issues ($ to project?); will also raise trusteeship jurisdiction question (Oneida)
- also may be able to negotiate $ for Tribal issues thru FPA (J.C.)
- Ross: ① adequate assessment of geographic scope + types of resources? ② Lake Sturgeon: historic use; can we reserve if not in settlement? yes (Shelly)
- Oneida: drinking water designated uses may soon come on line. (Trustee 9-11 + PRP 1-3)
- 22nd FEB PRP meeting; 21st pre-meeting; Shelly can't make, Oneida can't make; cancelled
- conference calls 2/16 (technical/attorney) + 2/22 (attorney)
- FPA overview (Shelly)
- may need to leave open Tribal areas for Geographic Area
- weekly conf. call? MONDAYS 11:30

2. surname 104(e) letters; Fax to Frank; voice mail to Shelly

JOHN WELHELME

conf #: 1575 for Bed Western O'Hare

13-14 FEB 96 sick

WEEK 7/13

15 FEB 96

1. clear mail
2. Ken: he will handle letter to WDNR (Meyer & Patrode); we should call Trilos (done); need letter to Deluise for Jim K., & letter to F.S. for Wiemeyer; have Joe write for Jack's signature; also need justification for Jan Nisbitt and Bill Bowerman - try to use sole-source
3. Tom Nelson: 3 of them may ride w/us to O'Hare - will confirm today
4. call Koss (Bed Western ERN - 847-296-4471)
5. talk to Jackie about sole source / CERCLA: get her names, addresses, affiliations and document NRDA - specific
6. Leslie Lehrert: what's going on? told her about 16th & 22nd conf. calls 26-27 & 28-29 meetings, review of 9th meeting (incl. ~~that~~ reporter works for Chairman and we can edit); told her much progress in educating managers about role of attorneys & general bridge-building, but not much progress on anything substantive
7. Janet: gave me start of letters to elected officials, per Frank, T.J., Joan
8. ELR

16 FEB 96

1. ELR
2. conf. call RO - wide on budget
   - 10 ES positions must go this year
   - 17 or 19 positions w/in Region outside of ES - VPP or directed transfer
   - positions available in R1 soon (announce next few day probably)
   - positions may be available in R4 at some point
   - "early bird gets ~~[illegible]~~ the worm"
3. Shelly
   - no new FPA yet; not necessary for general discussion
   - 104(a): how pick companies? PCB in effluents; ok
   - prefers "104(e)" in letter, but Pete said ok w/o; if FWS intends to enforce (yes) & someone fails to respond, could re-issue w/cite & penalty ~~[illegible]~~ language; also may need to negotiate on time-line & scope
   - sending surname to RO
4. conf. call on FPA: John C., Janet, Shelly, Herb, John Koss, Tom Nelson, Mike Pat Pedersen & others from Oneida, Bruce, Greene, Frank Novath
   - meeting set for 29th in Milwaukee 8:30am - 11:30am
   - premeeting on 28th
   - info. requests: package ready for signature; Shelly's surname on way; letters to elected officials to be added & re-working draft from David Allen

budget for FY both trustee (w/o actual studies)

- allegeas; [redacted] Black, Cowles, Bock still there;
- (COE) will follow up; email
- John C. reviewed letter & talked to Bill Hunting: thought
  better (gentler; attachment is too aggressive
  Shelly, [redacted] Dave, Janet agree - not
  an issue; already agreed to
  ② don't have to use Harmon - discretionary; won't
  use unless necessary
  ③ Menominee & Oneidas? Bruce Greene: agree w/
  Janet, Dave, Shelly; John Ross: agrees w/ Bruce.
  Mike Hoenegard - how pick the 17; D explained;
  John C. questions rationale; further explain;
  shot excluding POTWs; just focusing on facilities
  which ① have PCB-debris ② could produce PCBs;
  ③ major discharges
- maybe do custom info. requests for POTWs; [redacted]
  1st info. request could lead to [redacted]
- Mike Hoenegard: might as well just include
  "104(e)"; Bruce Greene, Shelly Hall,
  Dave all agree
- Shelly: can bear off 104(e) as tactic
- Shelly on FFA; overview
- John C.: send list of topics around for 2° agenda;
  1st purpose of 28th is to prepare Bill's presentation
  to PRPs
- RC restoration group: SC (exec: 1 from each trustee &
  each company; could set up sub-committees of
  agency, consultant, & company staff)
- B.G. / Shelly: S.C. just recommends to trustee group
- J.C.: but S.C. could recommend appropriateness, as well
- B.G.: if recommendations only, doesn't matter that out-voted
- Tom: need to limit # of PRP reps.: just appoint 1 or 2; or
  by consensus only
- B.G.: are we waiting for S.C., or proceeding as well; Yes!
  ∴ many reps OK - don't give anything up (except
  human resources); deadlines could slip
- M.L.: must make track 2 FFA explicit that failure
  of track 2 does not impede track 1
- J.C.: ideas (line-by-line comments on FFA - did not record
  (mostly lead ones) (mostly shot down by everyone)
- J.C.: tolling of S.O.L.; stay of litigation; put in now?
  for trust; CERCLA reauthorization issue (me); Mike-
  [redacted] tolling language only; Bruce agrees; failed
  to put in right now; J.C. - ok
5. Tom Custer: pie-in results: PCBs higher in control;
   DOE significant in effect; DOE culprit not
   PCBs; deformed embryos (less PCB)
6. Shelly: we need to get J.C. out of the daily
   routine; I said: let Pete explain to Bill the
   validity of NRDA among FWS programs due to claim
   compromise report; if Bill unbelievable, he may
   pull J.C. back in; defense to Tom; important
   impairment problem by J.C. is acute / more
   difficult to solve; history of problem (fisheries);
   trying to find solution
7. case law / not on case law - i.e. PRP in court one year / little PRP settlement

8. call Ted Smith about Nemadji River; just breaking loose on their side; he will send proposals by 26FEB96
9. call Frank: left message
10. call Herb Nelson: no answer

20FEB96 sick 1h WEEK 7/14

1. backup files
2. ELR
3. Tom Nelson: needs update; talked about history of site and of NRDA
4. Frank + Shelly + Janet + Ken
- info. requests not out; Frank talked to Bill + John: #6-9 financial requests back out; statement @ end that may need info. in future on financial; still doesn't have "104(e)"; don't even call it 104(e) for now; long discussion; SOL + GBFO will contact Hartwig: re-remove the financial questions add statement about future financial questions, re-intro "104(e)"
5. Shelly
- oral arguments on DOI Rule litigation in D.C. Circuit; questions looked good for S.O.L.
- SOL will send pre-referral to DOJ to appease DOJ and to escalate SOL/DOJ role to try to influence Hartwig / Christian
6. talk w/ Janet + Ken about Christian / Hartwig: Christian incapable + micro-manager[3]; Hartwig capable but impatient + impulsive - doesn't like any of the necessary prong[1] actions
- Ken will get info. from Hagler on $ for 26-27th meeting
[illegible] consider limits NR105

21FEB96
1. memo to Janet on 104(e)
2. Steve Diamond: Gary Galesian (312-886-5870) of GLNPO (new higher-up) wants to send someone to the WL meeting
- I'll call; I explained our relationship w/ GLNPO administrator
3. Leslie Lehrer
- update on FRI call? gave, incl. Shelly/John C. conflict, 104(e) argument, stay of litigation argument
- hotel, time, place for 28th + 29th? asked Janet - put off; told Leslie I'll try to find out
4. Dave Cowgill called (Ken too) about meeting next week; told him that we've wanted to have general meeting for some time, but next week is just nuts + fights on field season; Ken + Dave C. talked about possibility of meeting @ GLNPO next Fall / Winter
- they heard about meeting from Frank / T.J. last week
5. Josh Lipton
- went over, saying Ian and Bowerman
- agenda for WL meeting; worried about controversy
- need to focus on A.[illegible] + NRDA; not scientific research
- Josh will come 1st day + set agenda for meeting
- might want State 2nd day; has to be 1st; ok; limit
Mike's time: 12-1:30
6. Janet: talked to Dave Hudak, Charlie Wooley, Frank Hornath about Hartwig / Christian + problems for NRDA; FSs may go in to RO to talk about this; may not be possible to accomplish NRDAs

7. Shelly: spent most of today on 104(e), not FPA; called John + Bill (w/ Pete)
- Bill went over restoration prong
- Take out financial: fine
- leave language alone: just how do we characterize? "treat as 104(e) letter"
- 104(e) out tomorrow
8. talk to Janet + Ken about
9. call Josh about call w/ Shelly tomorrow: left message @ 10:00 Eastern
10. Frank called about 104(e)
- same update as Shelly ("treat letters as 104(e) letters")
- we all have to make calls tomorrow
- Frank didn't take notes: Christian / Hartung "nervous" about Frank's + my note-taking

22 FEB 96 (~~[illegible]~~) (lower entries)

1. agendas for 28th + 29th, per Janet's request; FAXd to team
2. Shelly
- conf-call @ 11:30 Eastern w/ Josh, Shelly; me on restore plan FPA; not clear how to write or what to include
- info. requests update (talked w/ Frank): Shelly irritated that Bill/John didn't mention that Marvin/Frank in room for call; don't trust RO
- Pete told Shelly that she is Bill's attorney for case - no need to go thru John C.
3. Shelly + Josh
- Barnes Hill FOIA; will be helpful for Green Bay FPA
- talked w/ Mites Blint: couldn't answer NCR/AIT question

- FPA for restoration track
① compensatory restoration? how to protect our interests and throw John/Bill some bones; should definitely do primary restoration easy, but tell PRPs that can't, put cart before horse: compensatory relies on NRDA output; talk about technological feasibility, etc.; talk about key, data needs for all parties useful for compensatory development: data for GIS + system for GIS for scaling of restoration options: base maps of area kinds of habitats, natural resource services associated w/ habitats (migration routes, endangered species, land use, recreation use, land ownership): put into GIS system; useful to all parties w/o compromising NRDA
- how to handle magnitude of work as controversy between PRPs + trustees
- utter folly to even discuss restoration alternatives at this point; unripe ~~[illegible]~~ (even internally) (Josh; agreed)
② primary restoration group can make recommendations on technology + projects; on compensatory side could do GIS and GIS group could recommend to trustees comp. rest. issues + constraints, but not on actual scale + alternatives; e.g. properties available, conservation easement opportunities, habitats available, etc.
③ want to avoid: value of a boat launch in terms of N.R. service losses, etc.; etc. (Entrex approach)
- went over language ideas
- NRDA influences actual decisions much more than the GIS, but GIS makes implementation of a settlement much easier, once willingness to settle is achieved (for a mutually-agreeable scale of restoration)

STATE NRDA

good CA | NM, MT, MI, NY, FL, TX, MN, OH, TN, PA, NJ, OR, MO, KS, AK good

- could look short cut / in lieu of alternatives, just rather database of restoration projects that have been done, relative costs, success, difficulties, etc. (all kinds of projects — not just NRDA or CERCLA); post work, not future move
- RD magnet and NRDA experts are in conflict fundamentally; RD wants settlement discussion and alternative decision; NRDA expert want value assessments of what is required (i.e., NRDA authorities) before making those choices and discussions; Shelly can't draft FPA that satisfies both; experts can't change the facts — RD does not have to take the recommendation
- Josh will attempt to contact John C. to set up face-to-face meeting tomorrow w/ John & Bill I re: to try to settle this; part of game play is to make Bill look good; current RD direction will (in our opinion) make Bill look bad
- we should let everyone in on decision that leads to being made (Lutes, [illegible] [also: OEPC, OTA, ELPO, RTO; my note]

4. Leslie Lefkoff: returned message
5. Josh Lipton: talked w/ J.C.: they will talk again this afternoon; possibility of meeting tomorrow in MN; looks like RD has mind made up about PD and SOL; need to get to RD; other decisions Chiles; Josh has some access to J.C., but not Keating; will meet tomorrow — maybe w/ me
- let him know if really is bind: can help with contact, maybe me bridge counter

6. talk w/ John C. and Josh: need to get on same page; less deal to build house — don't have to figure out $ right away; I said: real estate deals between willing parties — different than CERCLA negotiations; John invited me w/ Shelly approval or call; I say: more than power struggle or personality conflict: fundamental issues must be resolved; Bill Lockhart should not be upset w/ me when point out inconsistency w/ other actions, or law, or etc.; can stop, but want to make donation w/ eyes open + w/ deliberation; client want me to stop
7. leaving Josh Lipton in on call
- house deal example: looks like $0.5B for primary and $0.5B compensatory; limited in scope and time; do over time (25, 50, 75 years); want to add to the 6 items in the restoration plan
- Josh: areas w/ concept have timing issues and core; analogy does not fit NRDA; real negotiation of NRDA is stage 1 cost of house rather than price "let's exclude parts of the house"; example: might need that science dialogue needed + on the technology + disposal + the cost + how to finance + rules + monitoring required — but — size + % of both sides is the negotiation + the hard part; usually (especially large site — 6B, maybe largest in U.S. negotiations) becomes comparative approach based on leverage limit
- J.C.: that's the traditional approach; how to use for creative 2nd track

- Josh: can do all 9 items & more; but not all at once; all at once is "open & honest" but can be dangerous; green lights and flashing yellow lights; identify technologies & pilots & implement pilots & figure out what kind of things can be done (green); coordination on primary restoration alternatives (green); GIS & database for expediting settlement (explain, then green light); evaluation of technologies & new technologies (green light); compensatory: annotated bibliography on restoration projects in past (cost, efficacy, etc.) (green light); yellow lights:
  1. selection of suite of restoration options (future) (if PRPs believe they can put together our alternatives, then they will give us restoration (elephant) for injury (bread box), so defer injury; but actually attempt to carve elements out of restoration plan; at end no leverage left from injury & damage); don't allow PRPs to recommend which projects, nor scale; also, # of cases in last couple of years trustees have tried & been hammered by public for giving away too much w/o sufficient info.
- J.C.: concern valid only if allow scaling; could float idea of trust fund - don't define who & how much; could be managed by independent party; significant term (decades), so can recover even $1B
- Josh: payment and management of payment strategy could be green light (never seen before)

J.C./Janet 10:00
J.C./Josh 11:00
Shelly after

- J.C.: manager of fund could use criteria for funding projects
- Josh: group could address process for selection of projects (green light); trustees & PRPs & public could influence criteria and process for selecting projects (green light!); can't actually give away decision authority to independent group - just make criteria independent
  - flashing yellows are delays not stops
- J.C.: incentives important: cheaper technologies should drive cost down in future
- Josh will draft up replacement page - we can review, then send to Shelly for legalize
- J.C.: 8 items
  1. ID approaches & pilot projects
  2. coordinate primary restoration alternatives
  3. dBASE/GIS to ID compensation sites
  4. evaluate restoration technologies & research needs (incentives for pilot projects)
  5. develop pilot restoration projects
  6. develop dBASE on types/cost/cost effect for primary & compensatory projects (mitigation)
  7. concept. framework for payments/settlement deal (mechanism w/ timing, incentives
  8. decision criteria for which projects funded
  - include flashing yellow lights
- fax my comments to Josh
- talk tomorrow @ 10:00 Mountain (11:00 Central)
- Nellen wants FPA; Bill upset

8. call Shelly: left message @ home phone
9. Josh: will call tonight w/ language
10. Shelly: update; underlight
11. Janet: many issues RE 10; will call tomorrow
- SIB figures entered by Katie; not for FAS
- question on reforecast
- question on URR

23FEB96 (to early: 9:10 am)

1. email note to Bill Hastings
2. call Lisa Williams: told her about RO disputes
3. call Don Sparks: left message
4. call John Kay: told about RO disputes; Duke lost today, but appeared info.; good.
5. talk w/ Ric about note to RD
6. call Josh: next over language; 2 strategies at once: ① get track 2 moving for Bill/Josh; ② convince Bill that track 1 really is his charge
7. call w/ T.C. & Janet
- T.C. concerned about trust w/ i bar
- T.C. concerned about may have written note to on FPA about no need for T.C. is confidagreement w/ APPA to avoid trustee leaks
- way to further discussion on policy - report w/ Shelly one step of "movement"
8. Conf. call w/ Josh, T.C., Janet, Kay, me
- Gabor C. met three dozen of details comments - Josh to draft
- need $100K per company or more?
- need Rule 408 conf. agreement - no; some other kind of conf. agreement to keep meetings not public
- need redacted copy to trustees, review, today; to Bill, next, to PRRs by C.O.B. Monday
- lunch/food @ 8:00 at Lot
- call Josh & Shelly 3:00 Central
- Call T.C. this afternoon w/ schedule.
9. call Lalie: not there
10. Shelly: update?: Josh has FAKed language based on T.C.'s extreme re-write of Josh's language based on T.C./Kay to FO; conf. call 3; I don't know what to think about it; I will review, Shelly will review, I will call, then Josh & I will call; I said T.C. has requested lunch today & to PRRs C.O.B. Monday; I made no comment; Shelly says probably unrealistic
11. review Josh's revised language; notes
12. call Shelly: not available
13. Don Sparks: talked about RO
14. call Josh & Shelly
- could report #1; - or - could tell ourselves that the language is ok as we w/ concept problem; - or - we could spend WED trying to convince Bill/Josh of difference between intent & letter
- Josh presented the language for Shelly: took some of Josh's, Bill's, T.C.'s, Kay's & threw in something Josh can live with; time not right for both tracks - just 1; PRRs will be very upset; Bill/Josh may not like either track but can live with both tracks; Bill/Josh may be willing to do track 1 - raise; Bill/Josh believe track 2 can succeed w/o track 1; raise; Bill/Josh believe that action on the debtor's cap. followed by 8 figure ruling;

language, however, avoids these problems w/o highlighting for Bill / John; can talk about all of it. I.C.'s results but caveat of assessable only after the NRDA data collection. Bill / John interpret that as no buy-in for Track 2

#1 result: as written, lays out how to do groundwater & mechanisms for natural settlement, however, folks desire is for an actual settlement mechanism - just doesn't realize that doesn't do that; (1c) particularly issue because of time horizon (could stretch); also (1b); may need to stretch all of #1: addresses & that has not been made available; premature; also, no authority for TNC (Cool areas)

5. Bill Graff
6. call Spark: no answer

25 FEB 96: to Chicago for WL meeting (Mayer at 1st); Jan Ghalett, Ken Stromberg, Peter Tallmadge, Pat Bellis, Tom Nelson, Lisa Williams, Bill Bowerman, Tim Kubiak, Tom Custer)

WEEK 7/15

1. Mike Mayer: results in WE: [illegible] productivity G.B.C. L. Sup & Erie and (Rivers / Islands); Eagles nesting food in both generally also Lake Superior, somewhat on G.B.A.; PCBs much higher in G.Bay than others; DDE higher in G.Bay also; Fox Point & Island area low in DDE; Fox R. is high in PCBs. Productivity good inland; sporadic L. Sup.; fair G.Bay; Toft Point month of Menominee (Blueberry I.) birds seem to have different exposure than other G.B.A.; Oneida DDT mod on L. Sup; DDE [illegible] than [illegible]; PCBs also; PCBs

Lk Sup eagles 50% less productive = E; G Bay get adequate prey deliveries; Cape Hurd highly available in G.Bay; NRBs in Cape; Fox River most: high PCBs, low DDE (egg thickness), high productivity, has been replaced at [or LLBOM]; next most productive nearest to; X-Bell check in / very high PCB & DDE exposure; more copper engineers on G. Bay than on L. Sup (2 nests); herring gulls likely food to eagle chicks; have some data on ONTAR eagles & think related to - could get birds or adult turnover [illegible] rate

2. Mike Mayer: mink in WE: design only; need basic techniques developed; known to do PCB-sensitive; not migratory; normal impetus to home locally; address habitat quality; mink absence / presence; [illegible] ref. x-change agency; [illegible] estrogen S/N to determine low aquatic; meat over details of subjects; hypothesis testing only after methods testing complete (if successful); already some info on PCB bird, lab analogs, / productivity problems - Stalker

3. [illegible] Heston: confidentiality, ownership, purpose; review of historical work (Carl)

4. Ken Stromberg, DCCO: Larson (Clutch size different; total success different; [illegible] Fox Islands different; intra-colony work: (no PCB effect yet); range higher in high flow areas (PCB group) (late of noise); argument about whether due to exposure difference or sensitivity difference; measure PCB levels in incoming migrant DCCOs (PCBs double once within queen) (OOT doesn't reveal much); 5% of PCB body burden goes to chick; of lose good bit of body [PCB]; have [PCB] in diet; get [illegible] way need 1/2 life of PCBs between years [illegible]

Powell

egg injection study (~~56~~, 77, 105, 126) - + all combinations

comments; saw most of the reported effects - but only ① high level was lethality. 126 major plans in field. Robb; no ~~strathos~~ between organs; ~~1/20~~ of previous publications; used in Powell + Ex. for 126 57% mortality in chicks at 1.0 egg ~~extract~~; all ~~affected~~; no deformities; OCCO/chicken ~~sensitivity~~: 100x LD50 250x LOAELs; Spider I: TEF ~ 0.4-0.8 ~~mg/kg~~ egg - ~~meat~~ say ~2.5 ~~mg~~/kg effect level - were ~~the ball~~ park (1-6); ~~plate~~ feed); accounts for the small ~~b~~ in hatchability in Falcon - Jan disagrees ($\frac{1}{2}$-1$\frac{1}{2}$ orders of magnitude up too far off)

5. Tom Custer: OCCO: (Cat/Rat/~~Mink~~/Spider/Monte Carlo/S.D. ~~PCBs~~, OC ~~Organs~~ not ~~success~~; ~~PCDs~~, TEFs, ~~PCBs~~ at GBAY; DDE also; EROD not correlated w/ success groups; dead embryo ~~PCB~~ DDE than failed sibs or ~~unfailed~~ sibs; DDE + PCB correlated R^2=0.32, P=0.001; DDE looks separate for dead eggs; DDE could ~~explain~~ Fallon & Klunk studies; useful to look at ~~organs~~ - he will; OCCO ~~accounts~~ to PCB/DDE locally; EROD not likes; success better to DDE, not PCBs; ? ~~brain~~ asymmetry; ? disease (left early)

27 FEB 96 story line

C. Jones; U.C. + Ball wants #1 of ~~4~~ corr-agree. Rates FIA put back in; look + U.C. come up w/ 1-line compromise; Skelly expected as settlement; probably see a tough meeting 2. lead + rotate FIAs 3. and ELG 4 line Milwaukee

Goal: - NRDA team: ① guidance info needed (more info, allow for conceptual assumptions by Trustees)

① Talk w/ Skelly in Milwaukee

28 FEB 96 Milwaukee

1. Talk w/ Joel + Skelly + J.C. + Jones: ~~some~~ for oral explanation of settlement - but later
2. Meet w/ co-~~Trustees~~ [J.C., Frank, Jones, Mark, Marjorie, Skelly for Joe Hoo, Brian, Patty Lom, Chris Goodwill [Bill later] ① Skelly: went over FPA (working draft; CMTS not available at the time) (Lindley Rhodes, not settlement negotiators)
② Joel: went over the 7 items under A. (overall: build trust and focus on mutual info. sets)
#1: what constraints do PRPs + trustees bring to table (e.g. no natural stocking in MT or no land purchase by any PRPs) (process developed guards w. ack. & cap. selection)
#2: coordinator of various activities, rel. FRC (like person FRC MOC)
#3: IO technologies for 1° (selected changing) (predecessor of spatial/temporal extent, not multi-yrs) (not how clean is clean)
#4: corollary to 4: develop new 1° technique (can stop the process through)
#5: pilots to test potential techniques (1° and possibly comparing)
#6: ~~annotated~~ database inventory on P + compare projects of pool; all sides agree to concede nothing on extent of problem or needed solutions: might what be possible to see what could, hypothetically, we will want to talk about some habitats & species for them; but can agree on some interested-sized list to discuss; don't want menu of options from which must choose
#7: GIS dBASE; rub ours what, what habitats, etc.; very important to implement any eventual settlement

into for Trust: "seem to me that any participation by the PRPs in planning restoration, planning etc. outside the context of the assessment plan will undermine the fundamental test of the assessment plan (eg the N.L. is supposed to be sent all the facts + assumptions upon which the restoration plan, including conclusions in prediction). What happens if PRPs find a bunch of actuities that prove to be ineffective or inefficient? This train of thought will quickly evolve to settlement negotiations without the benefit of an assessment, like Sag Bag"

③ discussion of NRDA
- must get liability info.
- must get injury info
- must get scope
- Tom can figure out what positive

④ Bill starting: ① explain Oneida grid — Bill pass ② explain L. MI scope; ③ explain $ amount + other FPA details; Leslie - chance for Bill to sell the approach. Bill - log action step of his experience [① "we know public we want" (disagree); ② "Log reference experience" (wrong kind); ③ "this is no more difficult" - confident can be done" (already knew he was confident)

⑤ Goal: presentation of FPAs

⑥ F.C.: ① cultural ② environmental ③ local economy; Bill wants to address the balance of these 3 to PRPs (recognizing that is out of balance now in favor of local economy)

⑦ Bill: we all have an idea of the #; I disagree we only know a conservative estimate: actual # could be 0 - 17M

⑧ Josh: 7 items

⑨ Bill: need to add finance committee that talks only about mechanisms for payment - no discussion about amount (comes from NRDA info); currently nothing in it for Tom
⇒ Bill and I disagree on two points: ① there is a M/S out here; ② finance committee can give PRPs real venture w/o discussing settlement

⑩ Bruce: dollars for FPAs; $165 A.P.; ~$250 (?) for rest (may not get full credit under statute as reasonable assessment cost)

⑪ Scope of assessment area: Tribe has concerns - Wolf R, Duck Creek, L. Winnebago; could remove the restrictive language; want to avoid precluding valid injuries (different than restoration area); will tell PRPs we will modify

⑫ how much flexibility in FPAs: no release of liability; no stay of litigation - restoration FPA

⑬ confidentiality agreements (trustees decide) (NRDA FPA is our concept)

⑭ Initial question about name of contractor (individuals or entities); no contact allowed though

⑮ Bill must see presentation
- Janet + Frank will make a few flip charts (mission, objectives, site info, purpose)
- go over FPAs
- couple of weeks to finalize FPAs or this won't work
- will move a track only
- done

29 FEB 96
1. travel voucher to Dana
2. talk to Tom about meetings
3. talk to Dana about meetings
- met well, but Leslie was in auto collision (45' late)
- restoration committee viewed by PRPs as settlement vehicle
(David Vandelaan told Leslie or Bill that 7 figures won't fly; ≤$30M could settle, however)
- P.H. G. concerned about scope (L. MI)
- restricted to PCBs?; restrict to paper recycling?
- no FPA discussion - need time to review; written response

- need info justifying $385K and $165K
- Hartwig to Clark at Lerch that covered about my copious notes - documents?
- to Brad about email to Hartwig
- strategy: do work on stage 1; keep out of J.C. + Bill path as much as possible; pick issues carefully; try to keep from being forced to give stage opinion (Calibre = convenes); make clear that Bill's choice to take duration of appeal
- GLNPO friendlier w/ Salazar; make contact next time in Chicago
4. Bev mail

01 MAR 94

1. Bev mail
2. file NRDA words
3. list of action items for self
4. talk to Janet + Jackie about cost codes + recoverable activities; Jackie is working on detailed justification of NRDA-specific expenditures and activities; Joe + Al are not using it - how system because ~100% of our activities are Green Bay NRDA-specific; however, those working part time on Green Bay NRDA (Shelly, Brad, J.C., Bill; Leslie, Rob, Don Hoag, Jackie, Janet, Dave, Ruby, Ks (though he mostly on the NRDA), would be last off w/ 1/4 - how accounting of schedule - if they can tolerate it)
5. review FPA revision given to PRPs
6. Conf. call w/ Boulder on fish studies for L. Michigan (Lisa Williams, Dave Best, Dave Allen, Joel Hubbard, Steve Brown, Doug Beltman, Dan Lee, T.J., Ks, Brad, others, mark Hobbs)
- goal: intro: relevance of fish injury to G.R. NRDA? Burden of proof for G.R. NRDA? many factors affect fish in addition to PCB - how to quantify or subtract other effects? control of info. for potential litigation
- D.J.: overview of Contaminate Program needs for L. MI fish injury
- Mike Anderson: gross lesions or PCB effects (can overburden) death, physiology, reproductive behavioral, internal, external, injury stages
7. call Phil Hufford about PCB mass balance: assist to input data: 60 tributaries of composited fish; listed in doc. attached (MASSBAL 12-6-94, BATES 050044-050025)
8. note to Ks on encoded issues from 28+29% colonies meeting (how to #; attached discussion)
9. continuation of conf. call w/ Boulder
- what is possible to do re fish - realistically?; embryological + mineralogical effects (Joel) + histopathology (Joel): can be observed in fish + linked to lab, + some causation questions can probably be proved (or disproved); reproductive may be left but harder to show (decided)
- need practical approach to distinguish the effects of carp
- Lake Sturgeon: tribal interest; long-lived bottom feeder
- Lisa Jones asked: what to do or not do: spend week or two to refine NRDA + stress info - recalculate + get hard look at assumptions look at contaminants in stomachs + whole fillets; would not do full-blown spec. study; rather measure field egg resolution dose response or walleye eggs for comparison; use fish health models; also get chronology to get at higher pressure levels; Lake Trout long shot because of other factors

- prod Ordog letter to Tribes

- Goal: population today is reflective of previous conditions; determine if existing data or new data to understand condition of past
- should write some GB I to get addtl. $
- maybe collection must be ready MAR/APR

WEEK 7/18

04 MAR 96

1. backup files
2. note to file on unresolved issues: finish, sent
3. staff meeting
4. Jeff Underwood: speak at spills symposium early April?
   - no time
   - how I had data contact: Rod Smith
5. conf. call w/ team (Bob, Janet, Christa, Barb)
   - J.C. assigned Bob to draft letter RD → someone
   - granting $365K & $165K
   - Janet has flip chart assignment (bring to Madison)
   - Chris asked about meeting turnaround w/ WDNR
   - discussion of scope of assessment: activities, key subst Tribal MOU, PRPs, etc. - collecting age data: be careful not to proactively restrict anything
   - debate over subtle, mean read to narrowly define the agency questions; how to comment. RMS RD agency management
   - POTW, for requests; draft; guides more areas
   - Tribal paper co. response first
6. conf. call w/ Sonja (FRC): could not connect: all circuits busy

* check w/ KAM & look @ info. request
  - see if can limit request
  - see about reasonable extension

7. Shelly: sorry missed conf. call; not critical issue on exemption FRA update or call; Bill @ meeting made a mistake - Don R. not main source of PCBs to L. Mi. (wrong); O.M. said can't document data building to clist (needs more substance); talked G.B. Packaging: wood includes non-F.R. facilities, etc; put proposal in writing by how to respond; no; can respond w/in 30 days w/ definitions for response; O.M. wants 90 days (Bill & Jackie said no); ask EPA contacts about extension; also check about recycle CERCLA exemption

03 MAR 96

1. look @ CERCLA authorization: recycle exemption; 1-page missing on PCB exclusion from exemption; left message for Shelly
2. up to team on ongoing issues: done; KAM
3. Jack Rose out until Thurs; talk to Tom Nelson about meeting FRI instead of WED; he'll check w/ Pat Reilly
4. call Ray Palber: will check into Jim Nelson info. requests & get back to me
   - called about LKBN; Bob argues some idea: change the stuff out of water a different months, or convert essence; Bob will check w/ our people
5. Jack: late afternoon call: Shelly, Dalie, Jack, and, Di. maybe Bruce, Dave, or me!! Tomorrow 4:30 - 4:30 PM; Jack would like to meet some of this down - but harder to put that on me
6. left message for Dalie: Debra about conf. call

7. told Joe about POTW search + info. requests; also Wagler
database
8. sent 1st PRP letters to Mary Francis Repko
9. Leslie: Restoration FPA can be narrow because has
no implications; NRDA scope is whatever it is -
no artificial narrowing allowed; info. request: can
work w/ PRPs to accurately define; Tribes
should recognize that scope on restoration FPA is
negotiation question: if want that FPA to work
may have to narrow - doesn't eliminate ability
to do work where needed
Dr. Bill's assertion that L. MI PCBs mostly not
from Fox R.; have Shelly raise; free-for-all
after meeting; have Shelly raise (meeting planning
issue; control issue); note taking: could be
discovery issue, but not necessarily big deal;
some privilege would apply (Wadast); some info
would be released - so what; keep taking notes
to do so; Bill said something about having me
destroy notebook - probably not legal - don't do that;
I won't I wouldn't; private notebook any different? no;
pre-deliberative privilege? probably some, John takes idea
10. Janet: meeting w/ Tribes: Thur; meeting no big pluses or minuses
11. Leslie: talked to another atty: just keep taking notes
as usual - no problem; do not destroy anything illegal,
if issue, Shelly + Leslie will handle
12. call Shelly about conf-call, etc. (2:30, 3:00, 5:00 Eastern good)
13. read NDNR risk assessment

14. Reg Pahlsen: 104(2): no guidance; routinely double; case by case;
whatever is reasonable; confirm by letter (Grimes + Johnson)
(2) Jim Nellen: college Dartmouth 1970; classmate of
Dave Ulrich and Roger Grimes (886-6595)
15. call Roger Grimes: college classmate; tried to put together 2-person
coalition to move this forward (last year); impression - what see
what get; pretty straight forward; but pretty limited impression

06 MAR 96 WEEK 7/16

1. call Shelly
- CERCLA: recycler exemption w/ PCB exclusion; I'm missing last page; put together points for it I send
- will FAX letter from D.M.
- told about Nelson
- conf. call @ 3:00 w/ Josh & Shelly (leave contacts to Leslie for Shelly)

2. call Leslie: conf. call @ 3:00; Shelly wants to handle; also wants me to go thru her to DOJ; Leslie says "whatever"; feel free to call

3. call Josh about conf. call

4. look up TSCA info. for Shelly question

5. talk to Frank
- scope
- Sumit meeting
- conf. call w/ Josh
- NEMT approach (Trustees lead)
- LKFN approach (Calabrese closure)
- note taking strategy

6. conf. call w/ Shelly, Frank, Josh: on scope issues
- on line w/ GLNPO: Lake Michigan Mass Balance: Fish sampling already done - missed opportunity; trying to plug into next year sampling
- scope issue: how to proceed w/ issue; PRPs asking about geographic scope, which haz. subst., which activities; need to use ambiguous statement to define (Josh); might be able to narrow for restoration FPA, but not the NRDA, nor the [illegible] FPA (Shelly); can also limit to PCBs for restoration FPA; but

don't defend what N.R. was for restoration FPA; go ahead and talk to Tribes; ANAP + $ figure issue fiasco; need to get control of our people - also after meeting; no dates set yet - next 2-3 weeks timeframe

7. conf. call w/ Ron, Hector, Joel, Jan Richitt: WL injury
- overview of WL meeting: Bald eagle: impacts/success; lost 2 pair doing well w/ ↑ DDT ↓ PCB - could also be different congeners - awaiting the data (WOMR?) - need to follow up on these eagles; ② terns: Yukick stpl. strongest, but not smoking gun (risk assessment not causality) - may need to revisit risk analysis; circumstantial evidence that PCBs; could lose connection w/ copper mine of 15 years ago (Said Salutt)
- sensitive species affected; restoration species not - opportunistic
- PCBs was other contaminants (DDE, mercury); unknown addressed by due diligence or exposure assessments
- go forward w/ common tern pilot study (egg injection); - clear boring & fill; Ro will look at Lake (Benson); need budget (Dave, Ro, Hector) (< $100K)
- merit: have few sparrow at offsite beds (from Rigas-Ed), also some trapping records, may be reports locally more locally (good lab work as basis); look at sign survey / residue beds; limits in scope (what are those beds of copper); compare to lab; look at stomach contents; need to review state data; get trapper; design study; get lab set up
- conclude: eagles, terns, make further study
- conclude: need to get rest of existing data (Tribes, etc.) and visit those people
- may need to analyze Tribe's tissues for retrospective; also WOMR data

07-08 MAR 96 SICK

12-13 MAR 96 SICK

WEEK 7/17

14 MAR 96

1. clear mail / read e-mail
2. talk to Janet: update
3. time sheet / leave slips
4. Joel: consultant to company w/ PCB letter, called about endangered species: send to Ro for review, + geo. scope - talk to Bob Rose about NRDA story (omit litigation report)
- talk to Tom Nolan about geo scope / consultants
- note to J.C. w/ updates
5. Lynn (9:00 am tomorrow) interview for refuge job
6. preparations for interview
7. Shelly
- got calls from Boyle Tribe, James River, + 2 other (ATT, ?), Janet; Shelly will draft letter w/ 30-day extension; can define any limitations
- call Bob Rose about story
- CERCLA: recycling language
- scoping update
- NRDA info request update (8 NRDAs)
- OPA approach ?! "new idea" - restoration-based approach; figure lost services instead of damages; benefits transfer, e.g.; dependent on magnitude of pathway box & dynamics; if almost done w/ injury - use OPA methods; if too far from injury - use CERCLA; Ro's article!!
- [illegible] of damages

- Janet [illegible] - extension [illegible]
- need to respond? would appreciate if they would
- we understand different amount of info by company
- asked to send letter to us for extension

8. read Refuge manual (took home)

15 MAR 96

1. prepare for interview w/ John Christian
2. interview w/ John Christian (no one else) (see separate sheet)
- 10 questions 1/2 hour
- took 27' ("At on time management")
- "very good answers: learned a lot about me"
- "agree that has been very difficult to break into refuges - good opportunity to try; [illegible] other good candidates, but I'm definitely in contention - especially given my answers")
- told him I was sick for week
3. call John Koss: line busy
4. call Tom Nelson: likes scope idea (only narrow restoration side; expand NRDA side for Turtle & L. MI)
- talked to Bob Unsworth: Oneida got his qualifications; will FAX memo over
5. call John Koss: call later (after 10:00 am)
6. Shell Hall: left message (voice mail P secretary)
7. call [illegible] about $: voice mail; $2-300K prob available for injury in APR; could be $500K more if [illegible] equal split between econ/injury - but I need to be convinced by Bob Rowe before pulling any $ from econ.
8. Tom Nelson: needs costs for tissue samples: OC scan w/ PCB total $400/sample; congeners $800/sample; dioxin as well adds $400/sample; $350-$500 for total (some labs better at certain matrices): Miss St.; Texas A&M
visit these people

- send Tom the proposals for the $20K; Jackie said probably can use 1130 for now & switch later
- tree swallow boxes should go up soon; also wood duck boxes @ Sheboygan & 10 on Green Bay
- got results for WI R.: not that encouraging: probably below effect levels; tree swallows picking some up
- updates, updates, updates
9. call Frank
- interested in tapes of WL meeting
- J.C. questions of status
- updates, updates; updates
10. call John Koss
- scope discussion; John has serious concerns about scope: Feds misspoke about proximity of MITW to Green Bay; [illegible]
- I said
11. update to J.C., Frank, Shelly (FAX)
12. read Tom Nelson's letter on consultant; call; also gave costs for samples
13. Doug Beltman
- may need help w/ L. MI mass balance
- also Faber
14. call Shelly: voice mail on Janet's conversation w/ Tom R. Tiles; also updates
15. talk to Ken: updates x3
16. FAX DCCO stuff by Ken to Tom Custer

18 MAR 96 — WEEK 7/18

1. back up files
2. proposal to Tom Custer (WR R. of Shelbyville): he will write study plan for Jackie, so that $20K can transfer when we need
3. POTW info. request (work on Joe's memo)
4. read the DCCO analysis
5. Ken: hole in DCCO argument: geometric mean for baseline, but arithmetic mean for 1000 eggs (ave. baseline in 1000 is actually 20–25% higher)
   - if Hector calls for conf call, try for 4:00 p.m. today
   - try to set up Knox meeting W, T, R this week
6. call Frank about WL meeting in Shelbyville: W, T, R ?
7. weekly GD NRDA conf. call (Hank, Pat, Tom, Frank, Shelly
   - Oneidas would like MFTW/OTEW/FWS meeting maybe this week
   - Bole Jackson BIA (1146) for Nemadji restoration
   - geo + other scope: native restoration FPA scope only (Lower Fox, Green Bay; PCBs; can draw lines per PRPs - Sandy/Don Ind; paperwork to do; WL meeting, etc); need to look at language for the FPAs?
   - how do we respond to PRPs on scope, cost estimates: letter w/ 2 FPAs attached
   - how about N.R. scope?: no lines between trustees; FPA re direct injury via indirect services; also primary vs compensatory
   - Shelly ready to defend N.R. interests for orders for A. R. (April/May)
   - 104(e): P. Hilbert: request for extension; AFT may request not on our behalf
   - assignments: POTW 104(e) finalize: DOJ, then Tribes (before next meeting)
     company 104(e) extension letter: Shelly
     FPA modification: Shelly (need to hear from us 1st)
     scope + cost letter: Shelly ←
     scope meeting (Oneida, MFTW, FWS) →
8. call MFTW (Knox office): try to set up meeting for WED on geo scope + WL meeting
9. call Ken about WED meeting; try to get Th, as well
10. Sue Kozuch: now get proposal for extra meeting from Hagler; should meeting costs come from Phase I or Phase II; $33K left in Phase Ic; need bill for $5K (from whom?
    - she will send ltr to Lisa Knox who will sit down w/ Joel to figure out; Sue to cc us; also will advise what parts of Phase I still active, what products (when?)
11. update rolodex
12. Copper Range Company: letter from J. Cha (EPA, ORC) to Don Rowe (cc Allen + Ronald); buy NRDA issue, but whose field office)
    - tell Ken (give to FLB!)
    - call Cha: talked a little: EPA trying to have MDNR put explicit language to avoid fed/pen issue; should pass or to Lisa Wilson
    - call Lisa: FED-EX; done
    - call Frank

19 MAR 96

1. read Institute of Gas Technology red. → concrete technique
2. talk w/ Joe: updates
3. Tom Nelson: needed Lisa Williams' address
   - both of us called John Koss: left message
4. ELR
5. call MITW: Koss out w/ flu
   - call Frank, Dreidon (Tom), Shelly
6. Leslie Lehnert: updates, updates, updates (haven't heard from Shelly)
   - call next week: Susan, Leslie, & I can go to lunch (MON & WED)
7. Bill Bowerman: long conversation on eagles: MI/WI dispute; ~~[illegible]~~ DDT-only/multiple effect dispute; ELFO/GBFO dispute; what can realistically be done to answer fundamental questions underlying ~~[illegible]~~ scientific disputes w/o engaging in irrelevant disputes (e.g., turf)
   - Bill will jot down ideas to get things moving
8. call Shelly (Lisa & Charlie stayed somewhere recently)
   - Hotel? She will have secretary call tomorrow
   - update
   - she will email update to Bill/John
   - working on PRI letters (X-tension and scope)
   - send scope language to Shelly

20 MAR 96

1. call Lisa for D.C. hotel: doesn't have one / why aren't G. Bass eagles affected behaviorally to L. Spirit?
   - talked about Bowerman's eagle concerns: Lisa's view:
     ① reduced prey delivery at L. Superior may not be due to reduced prey availability - could be due to adult behavioral effects (as in Kubiak's T. terns; also as shown to occur at times w/ PCBs & dioxins)
     ② camera disturbance has led to ↑ abandonment at early stages & ↓ attentiveness post-hatch (small n though); speculation is lense of camera could cause the disturbance ("being watched")
     ③ WI/MI fighting is so distasteful that she has distanced herself & is not as up to speed as she would like
2. call Cheryl: left message
3. ~~[illegible]~~ talk to Ken
   - 28 nests w/ cameras, better success than State-wide inland (mounted pre-nest)
   - some pairs don't tolerate cameras & moves; but high productivity at other nest (mounted pre-nest)
   - cameras ② banding: ~~[illegible]~~ 2 (out of fairly large #) had reduced attentiveness
   - Bill Bowerman has had ∅ success w/ cameras
4. write a plan: ① consultant presentation (get predicted date); ② core team: extensive discussion: concerns; ③ convince managers & Tribes; ④ implement A.P.
   - lay out my initial tasks to Josh
   - need A.P. limited to realistic

5 APR

5. Tom & Ken: need to model different means from different studies; arithmetic vs. geometric means;
- Tillitt, et al.: could show methodology difference & lack of DDT info.
- Kubiak, et al.: DDT question;
- is Kubiak et al. enough to assert: (1) narrow effects only; (2) widespread effects likely; (3) no way to tell; (3) [illegible]
- wood ducks could help answer questions; also DDE-egg injection and genetic founder affects; also sex ratio
6. long conversation on LKGD w/ Ken

21 MAR 96

1. edit NRDA FDA geo scope for Shelly } FAX to Shelly, Leslie, Frank, Herb, John, Tom, Pat
2. edit BFA & proposal for Herb
3. read Tax River Fisher letter
- messages for Frank & Shelly that letter confirms are suspicions - probably adequate 104(e) response as long as it is a "legal" response; we should send RP letter that response is adequate
4. John Koss
- geo update: see FAX
- WL meeting: talk to Ken
- eagles proposal coming from Bowerman
- send ANAP (gave to Lewis for copying)
5. work on timing/strategy for remaining year

22 MAR 96

1. in field for eagles w/ Ken (3 eggs @ Oconto)
2. finish strategy/timing note; FAX to Josh, Bob, Shelly, Frank, Leslie
3. listen to WL meeting
4. Shelly Hall: problems w/ Bill & John on 104(e) extension; they want to give them until June
- need arguments to J.C. from GBFO also
- Jaworsky conversation: needs as much time as possible; seeking clarification to limit search; #6 1st NPDES, permit - litigated: need all of the litigation documents; #7: since 1989 w/i limits - DMR show this - do we want all of the DMRs w/i compliance: yes; #9 CBI - necessary to include; #10 too broad - PCB - specific? yes; #13 has many sub questions? can limit to what went into River and contained PCBs? [illegible]; others
5. Josh Lipton: recommendations: #1 ok; [illegible] might be good to release expanded ANAP & argue rebuttable presumption; release draft A.P. w/i month; #2 ok; #3 consumption advisories (make sure defensible - being done now); #4: may not agree: need to do some work here to prevail; Hagler will help decide; I should work on liability and primary restoration; #5: needs to be addressed - hydroqual; #6 more of same; #7 fine; FTRs whatever; working on date for presentation; Rowe working on focus groups;
- we will try for meeting (3 days) of the minds) sa

24-29 MAR 96 D.C. CONGRESSIONAL OPERATIONS

WEEK 7/19

WEEK 7/20

01 APR 96

1. travel voucher to Dora
2. talk w/ Ken (updates)
3. timing forms + evaluations
4. Bernie
5. Frank: Janet's sent FIA; I have also
   ① Janet need report
   ② COR → RLSO check / correct
   ③ documentation of use of Stat wfp.
6. Shelly
   - get FAX?: yes on FPAs; no on Vandelaar conf. agree; will FAX
   - CBI issue; atty giving formal opinion on penalties plus recommendations
   - will be on conf. call
7. Conf. call w/ Ken, Rhecta, Phillis Vincent (SOL/CBI)
8. Conf. call w/ Shelly, Frank, Chris Hodnett, Janet
   - cost stipulation letter about out
   - CBI: formal memo SOL → FWS; for now need to restrict access; Kit Howard trying to measure; Shelly said were working on it; I and [illegible] we will use chain-of-custody + special agts' evidence room, if possible; how about co-trustee event?
   - 30-day extension: letter will go today; some are unhappy; got what asked for, but not > 30 days
   - ROTW info requests?; mailed file to RO + SOL, awaiting something for surname; SOL/DOJ comments ASAP. then surname; then RO signature; send copy to Tribes
   - letter to Day Tribes? need affidavit? Shelly will check w/ EPA + DOJ - but may begin w/o; stating can sign response; we will draft response for RO + email
   - scope letter (geo + otherwise)?
   - get draft conf. agreement + revised FPAs from PRPs; need to review draft + see if letter still needed + what about say
   - cost stipulation letter out, or on way out; J.C. say if in signature or FAX (Shelly)
   - Bill/John want resolution of scope so can have meeting
   - letter could respond to scope + set up discussion of FPAs at meeting; also set up different between principal meetings + line-by-line meetings
   - send FPA issues to Shelly + Frank (MEMO OTW should be done); conf. call on FPAs: Th 1:30 pm
   - Janet and will summarize call for J.C.
   - Tribal funding request; after SOL, will go to DEC + OEPC; why DEC?; BIA request FWS request or both; don't know if Spring allocation: 40% cut may eliminate

02 APR 96

608-783-4689 Rondy Nix - ca call Th

1. note to Janet w/ draft memo to John C.; gave to Janet
2. Tom Custer: Lt R. Fox; I probably can't go
3. Ray Fallser - talked to Brad Bryan; got info assessment info to; realize cost [illegible] returned for gross clean-up (some equip-

dredge & earth moving followed by lead stabilization & disposal off-site: $2.3M top end; site in CNY MO w/ Pb disposal w/ phosphoric compound stabilization - less expensive: $1.0M range;
- Reg will contact Hahn: $1-2.5M range
- unilateral order may facilitate, as well
- $FUND available - at least to get started
- long conversation on GB & national programs
4. read Blasland & Blank criticism of Mass Balance Model
5. read WDNR → GLNPO proposal
6. FAX Green Bay Mass Balance bibliography to Doug Beltman
7. Emile Green (Sierra 608-257-4994)
- replaced Pat King
- asked for updates: ① A.P. soon; ② named 2 PRPs; ③ info. requests
8. Peggy (Hagler): instead call
9. ELR

03 APR 96

1. review PRP proposed confidentiality agreement; comments in margin; FAX to Frank, Shelly, Leslie
2. FAX POTW info. requests to Greene, Koss, Goodwill, Pelky
3. copy of ELR article on mining to Koss
4. copy of draft Janet → J.C. memo to Gary Van Vreede & Frank Horvath
5. ccmail (learn)
6. review PRP revised FPAs
7. call Leslie: ① Fox River Tiber affidavit?; ② FPAs & conf. agree. received?; updates: detailed message

8. review PRP NRDA FPA; comments margin; FAX to whole team
9. review PRP restoration FPA; comments margin; FAX to whole team
10. ccmail briefing by John Heuer
11. call T.J. Miller about Fox River budget info. request: left detailed message: asked for clarification
12. resend page 9 of 1st FAX to Chris Goodwill
13. Peggy: edits for ANAP
14. Leslie Lehnert
- has documents and my comments; agrees they should not re-draft
- conf. agreement: has to look at it
- Shelly left message on 104(e); affidavit good idea for Fox River Tiber
- long conversation on institutional problems w/ DOI
15. T.J.: ① attachment 2 - non-budget; ② funding N.A.; current status; normal briefing book item: what's happening & why WI so upset?
16. Josh Lipton: presentation schedule; can't call in tomorrow; will attempt to review FPA - will call in; call him FRI ~~[illegible]~~ if don't hear from him tomorrow

04 APR 96

1. look at ccmail info.
2. review FPA comments
3. justification for math. biosc. conf. to Jackie
4. files to server
5. Fox R. Tiber response; emailed to Frank & Shelly

6. briefing statement on GB NRDA for Director to Julie Mount
7. conf. call on FPAs (Pat + Tom - Oneida; Herb Nelson BIA; Janet + Joe + David - GBFO; Shelley - SOL; Mike Lokensgard - Oneida; Cathy Condon PMITW; John Koss - MITW
- Shelly: funding allocation: not project dollars (program); may still come up
- Shelly will send computer specs. to GBFO today
- NRDA FPA: I summarized my comments; Shelly + Leslie agree that switching does problematic
- need A.P. very quickly: expand ANAP after meeting
- need to tell PRPs that A.P. is launching now
- Herb: can't allow FPA to delay A.P.
- Shelly: how long to draft A.P. by consultant?
  - we must organize selves + reach concerns + have Hagler draft + then publish in FRN, then comment period
- David: present to PRPs: opportunities for restoration planning look good; also still looks like opportunities for participation in assessment implementation
- specifics on NRDA FPA: ① scope issues; ② which FPA to discuss
- Cathy Condon agrees PRP FPA unacceptable
- we could recommend letter to PRPs that FPA unacceptable on NRDA track (delay; restriction of trustee authority; Tribes see restrictions as unacceptable)
- Shelly: don't need meeting on this; Shelly will draft response

- Restoration FPA: strike Tribal language; prelim. est. issue should be eliminated; sharing it could be harmful to us (scaling issues)
- C, D, F, G ok?; strike last line of "C" (unacceptable to Tribes + staff)
- should address restoration FPA overall in letter: looks like common ground, but need some changes (attorneys can work out); could send an FPA w/ the common items; could do redline comparison of 2 versions; provide back to them redline version w/ unacceptable and acceptable areas; attorneys can meet to wordsmith
- Shelly will draft letter + redline comparison (MON)
- conf. call 10 APR instead of 08 APR
- need to meet w/ Bunker Hill folks
- FAX dates for summit meeting
9. Ken: talked about DCCO work + summit - middle of April

05 APR 96
1. file for Janet on conf. call results; to g: + upon on Janet's
2. clear mail
3. ELR
4. send WL tapes to Shelly (noise mail)
5. ccmail to Josh; request call
6. call Josh Lipton: window for summit: 23-26 APR
- schedule
- FPAs: mostly agrees w/ comments; strike 43CFR language

- discussion w/ Shelly and I on A.P.: release "turbo ANAP" - can release more later; also discuss S.O.L. & what can be accomplished; also discuss budgets; resolve Phase I & II left over & how to find Phase III → Josh, me, Shelly, Janet have pre "mini" summit in Chicago (next week) [9th; 10th]
- MI mass balance model: Fox R. → Lake MI 75%; 15% Kalamazoo; air transport from Fox (closed system)
- fish: field & lab combo & link; adopt circumspect approach (field first - biomarkers; then go to lab, if appropriate); tap into planned fish collection
7. phone, FAX, email to Shelly for dates
   - summit (16-17, 17-18, or 22-23)
   - premeet. in Chicago: 9 or 10
8. Hector: would like to get Don Tillit to Boulder for a day; he will call Jackie & Sue on Mon
   - also talked about Ken & DCCO issues
9. call Matt Richmond: updates, updates, updates
   - Milwaukee is middle of the road for file → trial; likely several months, perhaps 1+ years
   - following thru Leslie; pleased w/ progress

09 APR 96 WEEK 7/21

1. clear mail
2. talk to Janet: Shelly available on 10th - clearing w/ Pete Raynor; 18th & 19th won't work for summit
   - J.C. has indicated he wants to be at summit; we need to arrange pre-meeting w/o J.C. (22 & 23); other meeting for RO afterwards (1/2-day briefing)
3. call Frank about summit: left message
4. talk to Jackie about office fund targets for case
5. Availability for summit on 22nd/23rd
   - Shelly Hall: yes (possibly 22nd only) Leslie Lehrer: 23rd only
   - David Alle: yes
   - Bruce Green: 23rd only
   - Josh Lipton: yes
   - John Kiss: conflicts both days - will check w/ supervisor: 22nd only
   - Kris Goodwill: conflict probably, but will check w/ Mike; 22nd only
   - Pat Pelley: yes
   - Frank Kornath: 22nd only
   - Janet Smith: yes
   - Herb Nelson: yes
6. note to Tom Jacobs on Docket Review
7. talk to Jackie about keeping the safe: fine
8. read info. requests response
9. Josh: conf call @ 11:00 am instead of fly to Chicago
   - tickets back to Dora
   - call Shelly; email Shelly; FAX Shelly
   - Josh will FAX agenda
10. Tom Jacobs: long conversation about docket review, Fox R.; MI sites; could we put priorities on [illegible]

$660K of 1.1M
$402K carryover

11. Items: ① FPAs wants of time ② office [illegible]: WO signed on March 14th, contracts scheduled: $812K - $812K plus carryover; any day now
- Jean Sutton came via call on Coppey Range: RPA may try to [illegible] speed that permit not Fed. permitted
- J.C. wants to use $ for restoration plan
- FAX BPA info request letter to Hank
12. Shelly: status message
13. Ken: update
14. begin going thru CBP info. request response
15. Dalia
- need to get RO on board before transition meeting
- D.C. wants to re-program $
- can't do now, but illustrates difficulty of getting on same page
- can maybe get them late 22nd but not yet invited; tell Shelly to invite & give call that did so to see how she responds

10 APR 96
1. note to Dalia re/Jacobs agenda & timeline; also update on FPA call and info. request response
2. FAX ESA permit info. to Walter Pyper (Nat'l. Geo) for Ken
3. look at CBP info req response
4. Pat Pelkey: available 22 & 23 AFR
5. Shelly: can we push 1st call back, I have so many for 2nd?; I will call Jack
- left message for Jack
5a. Jake Main: Tony R. Chilos; awaiting

1. 3 b, k: ANAP comments schedule to A.I.

6. conf call re/Jack, Shelly, Janet (see 2 pages from Jack for agenda & timeline
- FPA update: outlines of FPAs in progress; current version is letter on conceptual problem re/PRI FPAs; don't need meeting on NRDA FPA; Shelly working on letter now; [illegible] FPA still worth discussing, but problem re/PRP version; need smaller group to work on language (principals to PD major issues only); could use restoration FPA to fund primary restoration studies IDd by Moffatt & Nichols (sediment mapping etc.)
- update on Eagle tasks: Phase I & II; prelim. damage assmt complete; allocation of respons. on hold until info. req. response; draft ANAP done; injury planning in progress; recov. planning in progress; assessment planning about ready; restoration assistance - on agenda
- recov.: not a CV (recommended); rather, a CV-like activities re/thrust to justify restoration costs (evidence quality work); actual claim or use primary & compare costs of non-use alternatives as justification
- schedule pre-summit & summit
- preparation/publication of A.I.: append ANAP for public review; only downgrades: might report PRPs; need to schedule (sign-off, review, publication) - we must arrange at ODI: no comments on ANAP yet - [illegible]; but start in May (2 week sign off): comments on ANAP re/1 week; draft A.I. for distribution at pre-summit; comments on A.I. in 1 week: "final" draft A.I. summit; publish beyond of May

Bruce (Green) 208 40 96 — no $ for BTA proposal (from Working fund)

- Review of Ziegler task orders, budgets, deliverable; doesn't need further work - program $ for other things; will send letter to Sue R + flag $ remaining
- Assessment schedule: S.O.L. issue; filing issues (May '97 would be a consolidating approach); referral must be before that, but after we complete some rapid work (shooting for Autumn Level of referral) (Bender Well for 1-2 months for DOE Level of referral)
- Assess Phase: participation + access to people; litigation needs + strategy w/ budget worked in; how do we make contact occur by June; other govt entities to do things for us; 18 APR 98 docket review; Shelly will attempt to get RPO involved in Todd R.; give Shelly ideas on how to help
- pre-summit: how to run case management + who Bender Well; each agency appoints 1 person; then they appoint 1 lead
2. Conf. call w/ Janet, Shelly, Kris Doolittle, Mike Sheppard, Pat Bailey, John Ross, Dale Nelson

- Shelly: PRPs are trying to require us to do all steps of RIFS for A.L. + contest our process; Shelly wants to indicate that PRPs have missed their opportunity to participate on NRPA & A.L. planning; don't want to give delay up only issue for proceeding
- Shelly: ended about restoration FPA
- talked about A.L. schedule + pre-summit + summit schedule

3. ANAP to Preidex: MASON ST LANDFILL (Round) RIVERVIEW PLAZA — draft agenda w/ goal for 22, 23 to Dale

- Restoration FPA: settlement + prelim. est. issues; don't need meeting of principals - attys only; also tactical issue
8. Ray Palbon: talked to Hale + Brad; Hale was receptive; brought up unilateral orders to everyone; brought up mitigation issue; concern still on unknown cost of cleanup - mitigation no problem; asked to hold off on negotiated glove club; Brad will provide allocation cost info (MO site + FPA contractors); complete rules if pass TCLP + can dispose of cheaply; up to PRP; w/i week RPO back to EPA; also suggested cash-out w/ FPA lead removal; may be $1M from $FUND available; settlement + top fund + side agreement w/ us on mitigation
- he will float w/ $FUND + get back to me + us
- try to get settlement mitigation for DOE CNTS; if can't, still try to get the cleanup + let DOE worry about side agreement for mitigation
9. (all) Josh: agenda for 22nd + 23rd (yes, by end of next week)

L.O.E.

11 APR 96 DTA Bldg;

1. email to all on A.L. schedule
2. Dale Lebert: updates from calls; schedule
3. Sue Rozarek: $8900 of mod 19 (95 hours); new bill w/ current billable hours (-2.5 hours for Josh: $21,000 for L.O.E. subcontractors; $2K left on Phase I; hiring part-time person for library work on this case; need original invoice for Dan; talked about Phase III as add-on to Phase II; talked about Phase I close out

4. talk to Janet about ELRO @ pre-summit
5. message for Josh about travel question / A.P. schedule
6. review ANAP → A.P. + note to Josh; to Joe for addtl comments
7. Doug: here to use 3044, etc. for NRDA extension
- office fund targets from D.C. for NRDA not? she has some stuff from Rick or that — hasn't looked at it yet

12 APR 96

1. Pam Matthes: GE will explain; Klug; tues to FAO info.
2. Shelly: meeting w/ Klug; Jon talking / meeting Klug
- Phyllis finish COI draft (Frank Sweet Act)
- working on letter on FHA
- emphasize trying to get WI involved; working w/ Fish on KPC
3. note to Shelly on time / priorities
4. Bryan: briefing for Watkins @ 3:00 pm
5. John C.: support A.P. schedule; will brief Bill H. @ 2:15 today; Bill told Janet no time for NRDA FHA
- need management meeting to figure out how much resources needed: I should think about what to need
- fish: may be able to bring Fisheries resources to bear
- Ottawa: definitely in top group; really likes intended
6. Frank
- told Josh FHA a waste of time; briefing Bill @ 2:15 pm (J.C. lead)
- update for Frank
- to J.C. that Shelly won't respond to Frank because RO influence
- need organization on NRDA program
- log conversation: goal: stage track / slime keep management leggy pri-2
7. Josh Lipton: 2 economists at meeting (Rick (22nd only) + Mike; Bob can't make it); ∴ focus on injury and use of injury in econ. context; 2nd meeting on what to do on econ; 29th & 30th best; also May 8th or later; 24th-25th quiet possibility
- injury presentation 22nd; discussion review of 22nd; discussion on 23rd morning; afternoon of 23rd trustee-only discussion
8. note to Jean re/ agenda + schedule for 22, 23, 29 APR
9. Mike Lodrigard: 29th ok if really; presentation to Trial counsel on regular WED: Onieda can handle: May 1 or May 8 — FWS can show up if want; don't have PRP letter yet; ANAI: more inclined to send comments to us (Gerri Ledger)
10. Herb Nelson: available 29th; got mails;
11. Frank available 22nd + 29th
12. call Josh: left message that 29th looks probably
13. appointment w/ Interest (Thomas)

WEEK 7/22

15 APR 96

1. back up files
2. base slips + comp. time slips to Pat (18, 19, 22 APR)
3. go thru info. request files
4. read about Windows 95
5. read Patty Regan leaving stories
6. read Shelly draft letter to PRPs or FHAs; / comment / mail
7. staff meeting

8. Janet: talked to Bruce Nesslich: FWS DIR signed off on $; currently in DEC - budget person been sick several months; @ $899K total; Janet will call Frank Deluise
9. Herb Nelson: Oneida want NRDA training; maybe try to get Coeur D'Alene people here; I'll call Dick Pedersen
- $ for tribe on East Coast not allowed (new project); BFA will give to MFTW/OTIW (986K)
10. talk to Janet about case management
11. updates w/ Ken
12. Mike Lokesgard: FAX # new: 869-4065; broadcast on email
13. Janet: Bruce Nesslich says $ available to proceed; I said if Jack can do acquisition request for $700K then we will have $200K for the year & next year transition
14. Frank Horvath: met for 1:15; J.C. & Bill gave lots of directions; revise FPA to give 1 more bite at apple - send back to them; disparaging remarks about Shelly; revise Shelly's draft & sign: don't like what you sent, send something else, will meet if you like; written record that we tried; [Frank now working on Shelly's draft]; Frank suggested to Bill - opportunity to settle next March for Bill (referral first); 2 major PRPs - 5 other real but smaller, POTWs & others for de minimus - need to get minor & non players off the hook - thanks you letters; need de minimus settlements - conquer & divide
- acquisition request of $700K for John B's signature to break loose Phase III

15. tell Janet & Jackie about acquisition request: Jackie draft & FAX to Frank
16. tell Janet about dividing companies into 3 categories: ① non-PRPs; ② de minimus PRPs; PRPs
- prelim. findings me to team
- concensus from team
- memo Janet → J.C.
- briefing for Bill
17. Bob Rowe: Mike & Rich up on 22nd: what time for stud?
- recreation study (anglers, etc.)
- also general population CV-style study; hit
- would like to hear from Tribes on their resources
18. call Frank to revise Shelly; Charged page 2; Frank will send to Shelly, Bill & John
19. Shelly: comments on letter? none; Frank is sending a charge; BFA has some comments; Oneida bringing by comments
- talked about Frank's conversation w/ Bill & J.C.
- Frank added to call; update on comments on letter
- cancel conf. call for tomorrow
- ask Ross & Pelly if comments on letter; try to send tomorrow
20. call John Ross: gone for day
21. call Pat Pelly: gone for day
22. FAX Oneida comments on ARAP to Jack

16 APR 96

1. talk w/ Ken about pre-summit
2. J.C. & Janet on Shelly's letter: took notes on draft; FAXd comments to Shelly (cc RO & Tribes)
3. Joh Kors then Tom Nelson called: no conf. call needed
4. talk to Janet, Jackie, Ken about NRDA $: $200K admin; $25K GBFO injury work; rest to Phase III contract
5. Leslie Lehnert: returned message
6. memo to Janet on NRDA $
7. Leslie: hasn't heard anything from Shelly on 22-23 APR
   - updates on Frank's meetings w/ Bill & Joh; also on letter to PRPs

17 APR 96

1. FAX note to team on pre-summit, info req. resps, & RO letter to PRPs
2. voice mail to Joel on DCCO funding separate
3. call Mike Welsh about start time for 22 APR: left message
4. Josh Lipton: voice mail on Ken's $25K - fine
   - funding scenario memo: $700K plus $900K plus $1.4M; include scope of Lake Michigan to justify; they will use for planning; find report winting with FY97 & future funding (~30% of total)
   - next year: report winting & litigation support
   - if Tribal resources: fur-bearers would be good (FWS jurisdiction question); maybe sturgeon, also tribal economics ($20K fur-bearers, $20K sturgeon; $150K for tribal econ.)

- concerns about meeting: too much material & uneven understanding in audience; needs my help to defer discussions for trustee - only part - moderate meeting; liability case has not been discussed internally; need to avoid that discussion at this meeting
- sources of hazardous substances ½ hour: I should give that part (look at ANAP)
- living cormorant in case
- highest priority: need for claim
  enhance claim (Lake trout repro.) (economic mart. this) - get $300K from J.C./fisheries
  low priority - nice to have
5. call Frank: leave message about fishery $
6. email from Shelly on FPA letter to call
   - call Shelly (voice mail & secretary)
7. practice on internet and look @ ANAP for MON presentation
   - overheads to Jean
8. PRP info. req. review

18-19 APR: off (comp. time)

22 APR 96: Oneida; Summit (pre-) — WEEK 7/23
- presentations most of day; discussions

23 APR 96: Oneida: Summit (pre-)
1. discussion of issues & assessment planning strategies
2. Pathway (fingerprint PCB; GBMBM calibration w/ fish collected in fisheries studies; congener-specific analysis of pathway in W.L. Mi. Box) 10K 30K 100K
3. 50K for local engineer to determine technical release history; also ORC R5 connectors

4. birds: analysis / interpretation of existing data; bald eagle PCB/DDT analysis (DDT); osprey analysis (4-5 species ~10 eggs each); mink predator/population surveys (tested values)

5. fish: lingering reader study (in conjunction w/ pathways); sturgeon residue analysis (there to figure out if good load); fish sight study (lake trout, walleye, white bass, sturgeon - depends on if W.L.M. has related data maybe)

($880K: leaves $720K - 172K for econ + lit. support + report writing)

6. BTA/tribal funding?; Broward funding?; EPA funding?

Trustee-only meeting

1. Eagles - costs estimates: per sample cost? QA/QC?; sample collection costs? typical takes?
2. Scope (Rao): include the river
3. Gosda's recommended studies: ~300K a lot for the first year - is thyroid work really necessary; $100K may be enough
4. no appro. on walleye (separately w/ DOI, Davis; Lake Trout Symposium; Lake Trout Symposium)
5. ask budget about starting into FY97 (Brenda's budget looks ok)
6. question DDT/PCB analysis; more coyotes - specific fish data needed???
7. separate mink residue from mink population work - don't want (can rely on ongoing work)
8. eagles for MOTW? (BIA request a full coverage; include an assessment for; also include possibilities for

- also will come up Secor. info (injury vs. spiritual)
9. senior management meeting; can meet OTW w/ Tribal Briefing; also MOTW; proceed all 3 ASAP
10. tests to MOU
11. POTW 104(a); other 104(a)
12. RPAs

24 APR 96

1. Peg talk w/ Rao about case re score
2. Leslie: Shelly said refusal thru FY; Shelly meeting w/ Baker Hill people in May - Leslie invited; update on water; bank use or legal issues (PCB production; quantities or quantities or liability case
3. 2nd 1/2 of May ok for Coeur d'Alene trip
4. Shelly: got computer - need PC anywhere. talked to Pete about meeting; EPA liability: need proposal in writing for EPA; Shelly trying to get hold of ORC attys - Peg talk about "it's not": time / source problem - letter counterproductive from Shelly's point of view; quantity of time versus not quality of work; acknowledge limits - know about what can be accomplished [did not reach full concurrence on appropriate bal of time commitment; but acknowledged the issues + will move on together
5. Lynn Madsen (RO 612-725-3536 x 222) - call from U. of Minn; MN shooting club; [illegible] 330-972-5389
6. Brenda Landers (Perkins, Landers & Assoc. 310-492-8395) - left message about SETAC
7. Bob Rowe / speakers for MOU meeting: 1½-2 hrs (Bob, Rick, Mike, maybe Art) presentation 1½ days

8. call Jack (not there - cellular - no answer - called back) FRI 11am
① conceptually approved recommendations; but need several things before we can make $ available
- need ceiling for costs for each project w/ explicit understanding that $ will be spent
QA/QC, but possible
a. analytical costs: whose labs + whose control?
b. what work done by spit personal (who/when)
c. oversight costs for Hagler to assure QA/QC, etc.
for expert battery, etc.
d. need to know details of how to accomplish each project or how decisions will be made (particularly if relying on our by-work)
- need to know which tasks to launch again ($850K worth) + latest start date for all additional work (900K plus 0-1.44M / month)
- multiple sources of concern about costs & control: need best + realistic budget + time commitment for 4 years
② specific concerns or studies
- walleye repro. study probably; sturgeon ~~probably~~ may be insufficient - particularly gray lit. ($300K seems like a lot for like 1 test study; thymosal question necessary (Onondaga Lake: NY gets Lake Trout for stocking from the lake w/ 0% repro. in other species from thymosal)
- is eagle PCB/DDT analysis more important than fish congener-specific data? $40K seems like a lot
- just do mink residue + drop population analysis but $ needed

③ costs of Hagler incidental (meetings, day-to-day travel): how much $ do we need to cover this? ~~$~~ 4 pages for next meeting?
④ who are you available for RQ lunches
⑤ Betsy + Jack should talk immediately about measures Ken should take for his PCCO work (proceeding immediately)
⑥ can we still have A.O. ready for FRN transmittal by May 20?
⑦ long talk w/ Kelly; short talk w/ Jackie - good news + bad news (committed to EPA - really focusing; but is word to Jackie)
⑧ John Kerr would like mtg. w/ Anderson overbank or PCB top. (1st preparation); Kelly would like all overbanks; Jackie also (but don't go there Kelly - she wants to be prior)
⑨ products of work from Hagler ~~Hagler~~: data + analysis accountability pre-report? what if run out of $ pre-report? who "owns" the data, etc.
- 303-817-3884 cellular ⑩ Kelly/Jack comments on rec.
9. Tom Nelson: meeting on Fri. @ 1:30 on Oneida tentative-ship
10. call Frank: left message
11. look at Joe's rep. for NRDA training; comment to him
12. clear mail
13. note to Frank, Kelly, Dale on Pattison trip (21-23 MAY)

25 APR 96
1. budget discussion w/ Janet, Jackie + Ken
2. note on budget to Jackie, Janet, Ken
3. clear mail
4. Read Lake Ice: ecology letter of intent; need to get abstract in

5. Steve Diamond: (w/Ken) can we collect sturgeon next week?
- depends on actual $ available; also willingness to move forward before pen to paper
- next week w/us along for permitting; if yes, William & Steve will come next week w/ rials
- assume yes; we will talk to Josh tomorrow about how to cover costs

26 APR 96

1. Shelly: D. Mandelbaum letter and call; 53 boxes, 1/3 done, need more time, interviewed 2 dozen people, 1st of June, needs answer today
- call from Bill Brighton: worried about Bunker Hill - CVM may be too emphasized; more on injury than economics; Shelly worried about economics work - may need to delay meeting; [can't] [everyone better wade in now]; told Brighton that DOJ has been hands off - for their own reasons; irritated about 2X travel to Green Bay
2. call Leslie (left detailed message)
- P.H. Glatfelter extension
- DOJ concerns about econ/injury split on Bunker Hill has Shelly worried about split @ Green Bay
3. call Frank:
4. Leslie: Susan Schneider question on WI law - legislative history [got copies; history thru assembly]
- SOL/DOJ concerns mounting: decisions will be made - need to get valid participants now; $ decisions and document decisions will affect outcome: FWS FO will make them unless other [illegible]

5. conf. call w/Josh & Janet (see 2 pages back)
6. email to Shelly proposing D.C. summit w/FWS, SOL, DOI, DOJ
7. email to SETAC
8. email Janet to T.C. on D.C. summit) [illegible]
9. Shelly
- talked about Mandelbaum request
- talked about DOJ, econ., & CV
10. John Koss: Doug Cox from MITW in morning; Koss ASAP

29 APR 96 WEEK 7/24

1. Oneida for H-B / trustee meeting on Economics in A.P.
2. email to [illegible] Berry for cc: mobil disks

30 APR 96

1. work on computer; set up network info
2. Shelly
- she will talk to Bruce Greene about H-B/MITW info. for econ. in A.P.
- she will talk to Roger Grimes about EPA support on liability case
- I will get update on BPA funding from Herb
- I will get update on RO briefing from Frank or Bill's sec.
- I will call Bob Rowe about 10:30-12:30 conf call
3. call Bob Rowe: conf call time
4. call Herb: out until tomorrow
5. email to RI on May 21-23 confirm (FAX to Leslie)
6. call John Hanson about SPRY at home

128
1027

665
234 (425)

7. call Frank
- Updates on meeting
- Summit
- Bunker Hill trip: ok
- Budget: talked to Deana; too busy; message to John B
John Burrote back (Frank forwarding): WAF/OFT/Cont Sch
in mean time: get acquisition request & move forward
- get aq. req. to Blankenship for signature
8. Leslie talked to Shelly: talked to Shelly on FRI;
DOJ scrutiny ↑ may get more involved
- Portland meeting
9. Shelly 6, 7, 8 next week bad (9th good) 9th
week of 13th bad, then OK
- call from Leslie on RD briefing; worried about RD reaction
- PC anywhere justification: because you are travel all time
- $899K; call Bruce Nesslich: 208-4596; ask how
control scheduled; get account #
- connected Bruce Nesslich: carryover table: out of DEC;
based on NRDA receipts; check w/ Jennifer 703-
358-2148; new alotment 25th: $128K (1.061M)
signed by John Rogers more
- rest of control schedules to come: $110M to AK
from DOJ budget - not resolved; then alotments
10. call Jennifer Coon - out; message
11. PC anywhere justification to John Hanson
12. Leslie Lehnert: talked
- draft A.P.
- send copies of 4 reports overnight today; have
Josh send A.P. overnight direct

comport setting: modem

13. call H-B about copies of 4 reports
14. memo to Frank on aq. request $700K for JB to sign
15. call Frank
- DOJ @ meeting in RO: 8, 9, 10 good
- $ situation; talked w/ Tossen to get req. out
tomorrow
- Frank will attempt to get on RD calendar on 10th;
& inform. of DOJ desire to participate

01 MAY 96: stay home
1. work on computer: FAX send
2. Tom Custer: try to get a few swallow boxes
up @ each site & let him know
3. Frank Horvath: acquisition request ASAP; will try
to set up RD meeting & alert about DOJ attendance;
other updates
4. review admin files (1st box)
5. call Joel: try to visit tree swallow sites - put
up a few boxes if time; Kidney Island most difficult -
probably can't get to it.

02 MAY 96
1. clear mail
2. review acquisition request ($700K; signed by Tossen for
FS; J.B. signature next
3. note to Josh on Phase III Contract
4. Frank May 17; call H-B. note to Bill to call
Fishrow directly

5. voice mail for Josh about 17th MAY meeting
6. Shelly: purpose of call: Josh will go thru all the general topics of presentation; I'll give my part as well; not re-decision process
- Pete meeting w/ Ben tomorrow
- Shelly/Leslie/Susan call: didn't go that well
7. Conf call: Frank, Shelly, Leslie, me, Susan S.
- 17th on RD calendar; looks good
- review of pre-summit w/ overheads
8. FAX PCB release overheads to Shelly, Leslie, Susan
9. ask Sean to set up conf-call tomorrow 9-11:00 am
10. Janet: LK Sturgeon snafu w/ NDNR
- Ken: all collections in MI waters
- Janet: she will try to calm Pam Thiel & others down
11. Susan & Leslie: liability question for case; need to go generator by generator; need quantitative probability but start w/ discharger-by-discharger
- expert: Gary Amendola knew a couple of experts: NAIC also could help
- Matt has Susan's draft Fed. perm. memo (60-80 pages) I can look-don't copy
- met w/ Shelly: Ben wants Pete Raynor there at briefing - Shelly resisted
- Ft. Howard: late 60's PCB monitor in paper; need 1st permits & applications; get pre-NPDES info.; HQ - effluent guidelines record; WI WQS record; PL-89-800? - DOI rep ref. 32CFR228;
- updates w/ Susan
- DOJ & Ben trying to figure out how to address involvement in case - stay tuned

12. email/FAX conf-call #s

03 MAY 95

1. copy computer files for home computer; get program disks
2. call Herb Nelson about BIA $
- Don Thayer: still working on $ issue; will seek reprogram
- Herb will contact Tribes & explain FFP-only purpose @ 17 MAY meeting (DOJ/FWS candor)
- Herb will come to meeting, as well
3. conf. call (DOJ, SOL, FWS): econ & liability
- Gary Amendola has expertise & knows other experts
- need DOJ/DOI/FWS discussions of how to put resources on liability case
- need to review all PRPs, even if focus on Ft. Howard & P.H. Glatfelter
- need to establish links 1st, but quantification to some degree likely necessary - esp. if focus on Ft. Howard & P.H. Glatfelter
4. call Jenifer Coons (Bagdovich): left message; email about $234K
5. note to Shelly on conv. w/ Herb
6. call Don Henne: 17th meeting; DOJ/DOI situation; Shelly/Susan situation; DOJ involvement & concern increasing; stay tuned
7. get forms & tags from Roy; note to Jackie & Janet on how to use

07 MAY 96 — WEEK 7/25

1. update computer files & back-up; copy files for home
2. note to Josh about needing scope of work; acquisition request signed
3. look thru info. request responses; determine who sent materials; start organizing files
4. clear mail
5. phone note from Hale Nelson: Trilies don't mind not being @ 17 MAY 96 RO meeting
6. Ken: send email to Paulson on RI/FS: use Boonehd TBS for Brits/126; PCB risk > mercury
7. email & comment to Bob Paulson
8. *** CBI: Exhibit B of Lt. Howard 03 MAY 96 letter of response to info request (Jaworsky to Smith) contained "Exhibit B" which is marked CBI; However, no CBI is marked on the letter itself & it was not put in the cage w/ the CBI boxes; I removed "exhibit B" from the letter, tagged it, and gave it to Jackie DeGreef to place in the cage w/ Lt. Howard CBI boxes
9. Bruce Nesslage: abstract & WAG today to DIR 1,476 plus 234 = 1.71M
10. Shelly: 104(e): update to her
- conf. call FRI on 17th w/ H-B, Frank, if possible

08 MAY 96

1. sort info req. materials
2. off 2h for blood test & errands
3. CBI memo

4. take files home

09 MAY 96: stay home

1. enter rolodex addresses on computer
2. work on enabling FAX send
3. review REPAP Wisconsin file: update INFORESP.MEM
4. ELR
5. email to Josh about conf. call tomorrow
6. John Koss: needs FAX of FRN by tomorrow to schedule; A.P. would be good before meeting; John will request executive session in case detailed question on assessment
- hear anything from Oneida session?
7. Internet

10 MAY 96

1. Joe to Appleton WWTP
2. call Frank, Shelly, Josh about conf. call @ 11:00
- conf. call set up by Leana; FAX, email, voice-mail
3. FRN memo; FAX to Koss (draft)
4. Josh Lipton: conf. call agenda; scope & funding; try for contracts as we go - we should talk to Joe
- budget overall - Shelly wants to try for additional $
- Josh may talk to Roger & Dick; good to get Dick at the site while Josh here
5. Leana reprogrammed phone for call-forwarding
- (experimented)

- over

6. conf call w/ Frank, Shelly, Josh, Bob
- FRI briefing: start early (Kirkrow); 8:00 a.m.
- Peter & Ben met last week on responsibilities; DOJ's job to put case together; DOJ not decision-maker until referral; will meet again next week
- need A.P. & track 1 & track 2 discussion, right away

Agenda: Part I: Purpose of meeting: A.P. ~~[illegible]~~
(15') (30') (Shelly ~~[illegible]~~) : track 1 & 2 & leverage
Part II: Intro to Management of Assessment
(David) (Objectives & insinuate leverage)
(15') (who does what, etc.) (players & parties)
(management of Assessment)
Part III: Intro. to liability case
(David) - tight-rope: not on witch hunt (Bob)
(15') but were doing liability case (DOJ)
(not topics of discussion just present)
Part IV: Development of A.P.
(Josh) - how fits together; approach; how developed
(15')
Part V: ~~Existing needs~~ ~~Causation~~
(15') (Josh) assessment & info & data needs
Part VI: Injury
(15') (Josh)
combine Part VII: Economics
(30') Part VIII: Econ./Restoration relationship
Part IX: Schedule
(15') (David)
(2½ hours)
~~[illegible]~~ allow double for whole meeting

- completion of A.P.: need input on econ.: done
- Shelly will draft the agenda & distribute
- others will distribute any briefing materials
7. call Herb: left message w/ time
8. call John Ross: can't make 16th meeting
9. Leslie Lehnert
- FAX agenda
- where is meeting?
- got FRN; DOJ may have some say
10. Leslie Lehnert
- agenda for Portland
- Ben needs time for roles & case management discussion 1st thing ½ hour
11. FAX Bunker Hill agenda to Leslie
12. email comment on 17MAY agenda to Shelly

13 MAY 96 (Home) WEEK 7/26

1. fix computer fan
2. FAX agenda to Roger Helm
3. Leslie Lehnert: needs address of hotel & RI RO (Shelly said not to call me, but she's not in)
4. prepare materials for FRI briefing - finished
5. Int. Paper - Thilmany: info req. response
6. MSN for email
7. go thru admin files

— over

14 MAY 96

1. clear mail
2. Leslie: can fly out MON night: can we shift to all day TUE & WED; Ben will take 15 things on agenda
3. Shelly: not clear on how to modify agenda for Rasbower; Pete not happy w/ BOD for coordinator - will talk to DOI
   - agenda for Portland? FAX
   - ~~not for~~ FRI? FAX
4. FWS www address to Cathy (HTTP://WWW.FWS.GOV)
5. Email addresses for Lone
   ALLEN.CATHERALL@EPAMAIL.EPA.GOV
   BISHOP@AE.AGECON.WISC.EDU
   BROWE@HABACO.COM
   BRUTSTHROAT@MSN.COM
   JHOUSE9404@GNN.COM
   JLIATOR@HABACO.COM
   PAULSR@DNR.STATE.WI.US
6. work on briefing for FRI
7. call Dunk about agenda & Portland trip
8. Leslie: questions on fish, CWA, etc.; meeting w/ Pete Rayon coming up
9. FAX Portland agenda to Shelly
10. FAX ~~FRI~~ to Mike Lobsinger; ask for email address
11. call/visit regd Helm
    - call, Leslie: start TUE morning, if possible, will be late & stay longer
12. cage unlocked: locked @ 12:20 pm; talked to Jackie - she did not open
    - talked to Rob Elliott: Roy Bethin in cage yesterday; Rob left unlocked until today (did locked); I explained that cage must remain locked. Rob confirmed that only CORO personnel had access (building locked w/ hour overnight - cleaning personnel had escorted access)
    - made, not shown in log; Jackie will ask Roy & Rob signature on log
    - I will talk to Roy

15 MAY 96 HOME

1. fax FAX log dictation
2. FAX note to Shelly, Leslie, Roger Helm
3. E. Paper: thylmann refs. reg. response
4. MSN - mail
5. Leslie: any word from Portland? no; Pete Rayon not going to RO Fish (manager, not details; check for RO/DOI); P.H. ltr. sent letter - don't understand our letter - need clarification or DOI position to decide about meeting
6. sketch hypothetical case assignments for Sherry Bay
7. Lunt: email agenda; I should fully understand; J.C. marked update on 104(e) for POTW; J.C. has been talking to Rayon, Keller, others - some corporate want to participate, some not
8. Shelly: talked about Portland schedule (Rayon and RO meeting - will talk about agenda tomorrow; PRP FRA response; POTW 104(e). Shelly points out that Bill also [illegible] with us; info. response - she will call tomorrow

16 MAY 96 (home in morning)
1. Leslie: staff interested in MON morning if anyone available
2. Roger / Dick: not available until 1:00 PM (also not a good idea to start w/ Shelly time)
3. Jennifer Baddorick: returned call
4. Karen (Aubyn): GAO: Nemaji settlement info
5. look at A.H.F.I. FPA letter
6. finalize agenda
7. leave message for Leslie about meetings start @ 1:00
8. talk to Ken
9. leave Joe add'l info. to INTERESTING MEM
10. review U.S. Paper file
11. leave Laura make CC: Mobile file

17 MAY 96 (RO: RO/OOS briefing) (Ben Erdreich, Sam Lebenty, Bob Colbert, Bill Hutton, Bob Quarles, Shelly Kelly, Jim Smith, Dave Bob Rose)
1. presentations by Shelly, Dave, Joe, Bob (see overhead)
- need briefing for OSR & selected officials (Dave)
- need website letter for A.P. FPA (Dave)
- A.P. & case management discussed
- PRP letter response (Shelly)
- FPA's (Shelly)
- case management plan (Janet)
- SOL/OOS discussion, the ATTC/agency discussion (Ben, Dave)
- OOS will assign funding & duties - especially for liability case (Ben)
- OOS/OCE/EVA meeting (Bill, John, Ben)
- A.H.F.I. letter discussion; response (Shelly)
- Bill/Ben discussion of potential settlement language: Bill will talk w/ CEOs about framework - not actual - knows no specifics, plus no authority; Ben - can't hurt to have relationship - could help (unlikely, to precipitate settlement though); DOT standing behind us; Judicial Cooperation will be final settlement - judge must approve (need Legis. Info); high level discussion re: settlement framework called stay outside of FOB (J.C. likewise)
Josh & Brian prone confortable w/ this step before: R.R. / political advantage; Bill seems to understand & accept limits of info now & authority in end; keep J.C. out of any settlement discussion, though; Shelly still has concerns
- confidentiality: don't open motion concerning discussions to public; decision can have public meetings thereafter; conf. agree. to cover CEO / legislative comm. meetings?

WEEK 7/27

20 MAY 96 (off: home)
1. email to J.C. or Joe to request
2. email to Linda & Shelly to start on O.C. briefing
3. email to core team on briefing time needed for A.P.
4. email to Josh re scope of work for immediate work (A.P. finalization, charges, limitations, legislative scope, etc.)

21st (flight to Boston)
read L. Mc matter papers; draft OSR (OJRA)
memo: draft
talk with new

21 MAY 98 : PLF to Portland, OR (Dick Babson, Roger Walker, Don Stoffel, Barry Stein, Dave Allen, Shelly Noll, Leslie Robert)
1. missed 2½ hours (plane late)
2. review of mine injuries discovered; SOL analyses should focus on correction chart; also suggestions prog
3. review of OSMB, EPA, WDNR, Tribal involvement
4. discussion of legal support & RWS case management & managerial incidents
5. discussion of timing & scope of econ studies

22 MAY 98 (continue Portland meeting)
1. Barry Stein: questions on timberlands
2. Don Stoffel: early studies by RWS, last Tribe 1 BIA or Bad at first or NRAA
3. 1991 PAS; 1993 Babson/Stoffel/Anchet team
4. Babson rea: Babson (100%) Stoffel (10-20%) Anchet (100%) → (staff of 4: 100%) (1994) (although) (may)
- need the control & authority; BLM has 1 full time plus some part time
- Dave D'Alessio Tribe: 3 full time
- BIA & OEPC on as-needed basis only
- 1992 MOU signed w/ RO authorizes official delegated
- Coop agreement w/ Tribe: allows 8 transfer
- also MOU between POC/DOA/Tribe on boundaries
Timeline Council (RO, Regional Boards, Tribal Chairs) Project Manager (Babson (DOI), Tribe, Forestry) (no QA/QC team) (legal team) Technical & Contractor support econ. team
5. need recent co-planting relationship w/ Tribe (chronology)

BIA ISSUES: ① Case management (need full time people & project manager w/ authority); ② SOL ③ [illegible] ④ econ. timing & general timing; liability case

6. Economics: CV pilot w/ discussion, comparability values (case to apply restoration) (very similar to Deer Boy)
7. need more effort on restoration side
8. should consider deviation from regs.
9. Financial management: project manager's control comes from setting the $ + budget: check-points in the contract
10. significant assessment area (grossly disproportionate re: cost + difficulty)
- phase the assessment: start w/ what can be accomplished w/ Lower Deer Boy; follow where data and funding lead
11. Coeur D'Alene RO could help w/ QA/QC: possibility for resource sharing

23 MAY 98: fly to Deer Boy
Review issues for reconnaissance to Shelly, Leslie, Mark
① Project Management: Leslie 50+% as project manager w/ authority to direct NRAA; send my line to him; give him contract control; get agreement from RO/ARD to allow him to work 1 day/week to interface; bring in DOA & people to do liability case; put Shelly & Dave in charge (actually);

HARTLOP/TELLER/PEXTATER — HALL/DOI/GREENE/LOKENSGARD
HARVATH/ROSS/PELKEY
TRACK 2 RESTORATION
ALLEN/MONETT/GOFO/H-B/TRIBES TECH & CONTRACTS
H-B/GOFO/COAI QA/QC
ECON GOFO/H-B/OEC (KEY, SAMES, OTHERS)

2. Priority order: SOL, FED.-PERM. RELEASE, ~~[illegible]~~ TRUSTEESHIP, LIABILITY CASE PATHWAY (ALL), GB INJURY, L MI INJURY, ECON. SCOPE, ECON. FORM RESTORE COMMITTEE + BEGIN WORK

28 MAY 96 WEEK 7/28

1. travel vouchers (2) to Lorna
2. clear mail
3. talk to Ken about Coeur D'Alene trips + strategies
4. talk to Janet about Coeur D'Alene trips + strategies
5. email to Pat Percy about cemolite receive problem
6. Josh Lipton: (1) time problem, then priority switch; (2) maybe take more time; focus on pathway this year - spend more on that; fish bioassay study on hold except pathway + pilot (pilot) lake trout in pieces: pathway the thymerase the field study; bird egg + sturgeon egg - discreet; mink - either way (2nd priority)
7. Maureen Katz (DOJ): lawyers want to come out + look at documents (4 attys + maybe Matt Richmond) (Elliot Rockler, Dave Mackleway, Leslie Lehrer, Maureen Katz)
8. Reg Pallesen: LKGN: very little movement; met w/ Brad + his supervisor; they (PRPs) want to cashout - difficult to negotiate (bidding against self); EPA does not want to disclose their estimates; Reg will seek proposal from PRPs - try to get them to work; will consider cash-out, but not ready to discuss that; do cleanup on dry land as proposed earlier; 9-100 [illegible] methods - do gross mechanical cleanup; top foot of all areas most important remove it, stabilize remaining, move contam. off site; try to get to <500 ppm (brownfield level) - maybe cleaner right at surface; 500 ppm equiv. to 500 pellets per cu. ft.; not much different than 1 shell per cu. ft.; maybe technology limit; will also be less available to waterfowl; 50 ppm WB ARAR (50 pellets/cu. ft.) for residential; also wetland banking; removal of 1500 cu. yards soil, 130 tons Pb.
9. sent files for NRPA

~~[illegible]~~ ~~WEEK 7/28~~

29 MAY 96

1. clear mail
2. files
3. case management structure
4. call John Koss: left message w/ secretary
5. call Frank
   - project management; got my email; Bill had 1 hr. talk w/ Frank on same subject: wants Frank to run case + J.C. to run restoration committee (how to prevent Frank/J.C. conflicts, things ???)
   - A.P. strategies
   - DOJ involvement
   - Bunker Hill meeting
   - lots of other topics - email summary (done)
6. talk to Janet about Bill's conversation w/ Frank
7. Matt Richmond: returned message

8. call Shelly: message about POTW letter & PRP letter.
9. bob on FAGLOR lab test papers
10. ELR
11. K Angulo
12. update chronology
13. call Dina re chart COE
14. call Sue Hoyanek about $700K aquatics report + phase II. left detailed message
15. Steve Gobalinelli (EPA 312-353-7315): to be about the A. Howard COE doc. in the NPDES file
16. Matt: will send CBI; update; Main-DOT update; overture to US Att'y by Erickson
17. call Shelly: Joel to Green Bay; DOJ to Green Bay; letter to PRPs (detailed message)

30 MAY 96

1. FAX H-D contact survey to NOAA (Rob McManamon)
2. met w/Joel + Joint in Green Bay
   - Rachel Jacobson (DOT-Burgstaler's shop): NRDA experience; should Tim to get her assigned to Green Bay case; Joel called Rachel-left message
3. Tim Kubiak: send FRC Risk Assessment Document
   - will send back Lepton + citation
4. Joel last/me
   - A.P.: like NRAP for phase I; 96 fall season phase, 97 fall season phase II.
   - talk to Matt about Rachel Jacobson
   - talk to Frank Shelly about conclusion
   - project manager chart;

Joel to GB 11, 12 JUNE

SUSAN SCHNEIDER 703-780-7250
202-514-3733
No! A.P. schedule
scope

- call Matt to call Susan; call Susan; have Tulp call Susan - need price DOT w/NRDA + Tribal exposure
5. call Matt Richmond
   - he will talk to Susan about NRDA-exposure attorney at the Erickson (Santelli in Fact (probably this afternoon); ATTY talking about the DOT comment
6. call Dalia about NRDA-expertise on DOT team
   - probably 11th. good if Joel could be there
7. call Frank: left message
   - FERA
   - DOT atty
   - 104(e) letter to POTW
   - project management, scoping, A.P.
8. call Shelly
   - FERA - DOT atty - DOT Tulp
   - case management - computer specialist
   - A.P. + scope + schedule
9. FAX to Frank & Shelly on FERA, info. re: project management, DOJ Tulp
10. Marian Katz: 11th + 12th; Joel available; Dave Mackay will call directly probably tomorrow

31 MAY 96 (home) (4½ coffee)

1. call Mike Lobergeon about A.P.; left message
2. call Joel about 11-12 JUNE DOT in Green Bay; also - send A.P. sched to F.C.; left message
3. note on A.P., case manager legal team, issue: not done
4. A.P. schedule to F.C.: not done

5. call Susan Schneider
- case management: plan to DOJ before
- legal team
- B.P.
- Rachel Jacobsen
- Frank
- Shelly
- S.O.L.
- filing
- time vs. area vs. $
- RD to D.C. w/ Firebrow 19 JUN
- A.P. to DOJ before
- Chinese wall between GOV & experts: Joel's role?
- J.C.: assistance from Atty, RD, Frank
- Tribe: MOV, DOJ tribal attorney
- DOJ trip to Green Bay
- liability case
- document review
- politics
- EPA
- forum shopping (one voice)
- Bill

04 JUN 96 4h sick WEEK 7/29

1. Clear mail
2. talk to Janet: RD decided to make Frank project manager for FRGB NRDA; team to help w/ rest of NRDAs; Joe, Frank & d full time on case; updates
3. sort & file P.H. G1. info. reg. response
4. Shelly
- Frank project manager
- PH G1 response
- Pete & Ben talked: RD to D.C. 19 JUN; DOJ & Pete Raynor & team to RO week of 24th (24 or 25 preferred by Shelly)
- FOIA
- CBI memo
- assess area vs. $ vs. timing: key strategic issue
- letter to PRPs
- S.O.L. discussion tomorrow @ 9:00 C. (tell Frank) (done)

05 JUN 96

1. Dave McGlinn (202-514-1544)
- went over docs: ① Papyrus; ② Admin; ③ info. reg. resp. - recommends public viewing room - copies - electronic
2. Shelly & Frank
- Frank: case manager; will keep J.C. out of way; Dave & Joe report to Frank; hire clerk & assistant; Frank is Bill's contact for case: wants short, mid, long range strategy; 43 cases in R3 now; lines of communication will be determined; Bill exploratory discussions to actual CEOs (be have low expectations), also w/ State & EPA (Frank will attend those meetings); Frank & Joe will visit the 8 POTWs to inform them of their role; Janet will have very limited role (Ben also)

- call Josh [illegible] A.P. + case management

- no dates to Wantung: period
- need 3 categories of entities: PRPs; not PRPs; grey or diminished PRPs; need status of State contacts
- Case managed from the RO, period (Wantung)
- should we meet w/DOJ in D.C.? (week of 24th)
- Shelly & Frank will be here on 11th & 12th
- letter to PRPs: NRDA FPA is dead; restoration FPA may not pay any dividends - have to decide how much time to spend; Shelly can draft something by COB Friday
- J.C. angry about FRN and PRP response: timing taken literally instead of in flow of events; short response only required (we'll get back to you soon); Frank will draft, Shelly will review tomorrow morning; Shelly will put together FPA & give to Frank & I Friday, the broader view
- S.O. review of studies
- FOIA: extension of time: 30 days
- 2 non-responders; 2 inadequate: talk next week
3. Frank: I will need to travel to RO a lot; - emails everyday
- need Mark, Ken, Lisa, help from Dick Peterson, need restoration person
- RD & ARD perceive that I am more loyal to case/self than FWS; Frank told them that I'm more loyal to FWS mission than FWS bureaucracy
- lots of updates
4. call Josh: left message
5. Don Tillett: talked w/H-B about participation in Green Bay NRDA; rainbow trout summer & [illegible] trout [illegible]

- needs to make decisions about his help;
- I explained
- brood stock on thiamine-depleted diet; needs Jordan or Iron River hatcheries: need approvals to get started soon
6. Josh Lipton
① Frank lead; send A.P. to me, Frank, Shelly, DOJ
② Lake trout: hatchery or Cayuga Lake, Cardwell
③ come to Green Bay 11th JUNE
④ Rachel Jacobsen
⑤ economics in A.P. or not: need to decide;
7. email to Frank (strategies & updates)
8. email to Mark to discuss Green Bay & fish injury
9. FAX case management proposal to Frank & Shelly
10. FAX scope of work to Frank & Sue Kopanek

08 JUN 98
1. work on P.H. G1 file w/Joe
2. Diana Lane: check A.P. references for public release
3. FRC risk assess. to copying for Kubiak
4. review Ft. Howard files
5. update info. resp. memo
6. John Koss: updated on longer time frame & more general A.P. - sounds good; will send A.P. on Friday; he will take to Legislature
7. call Mike Lokensgard: left message about A.P. coming
8. talk to Mark Koley about involvement on NRDA fish case: cautious but interested

6 10:25 [illegible] con)

WED afternoon

7. talk to Joe/also NRO fill assignment: yes
10. call Lisa Williams: left message
11. Mike Lehnert: A.F. & temp: sounds good; update
12 email to Dick

07 JUN 96

1. fax CC schedule; note NEW DIR
2. FT. Howard folks
3. INFO RESP MEM
4. Hector: paper ~~submitted~~ by Cheryl & Mike on eagles may be unnecessarily dogmatic on PCB causality - could be embarrassing as currently phrased; would like to suggest some changes but won't be available next 3 weeks; could Ken expect his pullback over Cheryl to wait until Hector has opportunity? I will talk to Ken
5. talk to Ken about 7
6. talk to Lisa Williams about GB NRO involvement: 2 options: ① status quo (support behind-the-scenes support, as able) ② small (10-20%) but real commitment of time for pathway & something else
- both recognize that ① is the likely result
- both recognize that ② may improve long-term leverage
- ~~NRO~~ may be unwise for ELFO to offer support in exchange for reserves, since admitting capability may be all Bill needs to make move w/o reserves
- both recognize that Sec. Dep. must succeed to avoid damaging Dixon Boy - can't stop ELFO support
- regardless of actions, Lisa & I will continue to coordinate closely

7. Jackie: Please route breakdown of all costs for Dixon Bay NRO this year; we can work together next week
8. leave slip for 21 JUN 96
9. Frank
- call from Hector on eagle paper: need to talk to Ken
- article from Lisa quoting Ken on C. BAY injuries - problem: need Ken to become anonymous
- Ken & Frank & I should get together TUE night
- ~~should~~ cancel SETAC
10. Call Brenda Harbin: cancel SETAC plenary
- who can replace? Lead? (Jane #)
- call next week w/ some names for ~~oil~~ opportunities
11. FAX INFO RESP MEM to Frank, Shelly, Maureen
12. email to Dick, Roger, Barry
13. email to Frank

10 JUN 96

WEEK 7/30

1. call Jeanne to send FAX to Frank & Maureen (done) ② Ltr to Co; ③ Ltr to Co if FOIA'd
2. read CBT memo: ① fine w/o public?; ② confirm EM copy public; ③ have to read
3. read draft A.F. from Joe: notes in margin
4. call Joe: list of work priorities, assuming maximum of $1M per year next 3 years; discuss role in FB (or exercise w/ Jackie, the RO); left message w/ wife
5. Maureen Kelly: 6 (incl. Shelly coming) @ 10:25 am TUE & have parking car ~~reserved~~ in B & B; Dixon Bay; Jane meet/wait TUE only; Elliott Bailey earlier on WED; ~~meet~~ return WED afternoon; ate mid WED? yes! ~~not~~ return WED afternoon; ate mid WED? yes!
Lisa Code Envr & directors

6. cc mobile: message from Frank; message to Lisa: replacement for SETAC
7. ELR: 11th Cir. interp. of Daubert @ 26 ELR 20939
8. install PC Anywhere
9. cc mail to Frank
10. weather from internet

11 JUN 96
1. P.H.G.I. files away
2. prepare for FWS/DOI/DOJ/H-B meeting
3. copy of A.P. comments (Frank, Shelly, Josh, DOJ)
4. copy of another FOIA for non-PRP response (same)
5. Meet w/ Joe Frank & Josh (& Janet & Mark)
6. Meet w/ Maureen, Leslie, Elliott, Dave, Shelly, Josh, Frank, Joe (& Ken for a while)
12. Hollis Hope: returned message; gave 2 Tribal contacts

12 JUN 96
1. field trip w/ Maureen, Leslie, Shelly, Frank, Joe
2. make public reading room (FOIA/discovery screen) from ATT's

13 JUN 96
1. talk to Jackie about ordering file cabinets (10)
2. talk to Janet about place to put 10 cabinets
3. Ken: wants me to go to USCG drill: no
4. J.C.: how things going: fine; good decisions; some GBFO people have to make transition - confident that will; Joe & I work well w/ Frank; let Frank know if any problems
5. work w/ Joe to organize stamping & filing
6. long talk w/ Ken about transition
7. call Josh about RO meeting 28th & budgets
8. Lisa: not able to do SETAC
9. call John Koss about 27 JUN A.P. comments to Frank: left message w/ date
10. clear email
11. Frank: 25th, not 28th
- Shelly not happy w/ Frank talking to Kamps
- CBI: need to send letters to 10 companies (on all 17): Shelly will have language
- reading room, not 2 copies
- get cabinets, copying, & temps now (w/ Janet) (no transfers until paperwork final)
- FRN draft: resend to DOJ & Shelly
- FRC: Janet & I should go on 27th
- long talk w/ Ken
- budget figures to Frank
12. talk w/ Janet about transition
13. FIX dBASE index; work w/ Joe on index summary
14. stamp files (Nicolet & J. River)
15. have Jackie order 10 file cabs, & hire temps
16. FAX FRN (draft) to Maureen Katy
17. Josh & H-B: invoices & rates, etc.: letter will clarify ambiguities; out of money (really)
18. call Frank & Sue about
19. budget projections for FY 96, 97, 98; email to Frank & Shelly
20. update cc mail to Frank

14 JUN 96 (home)

1. Shelly
- reading room
- DOT will probably hire Arnold to review fiche; hope fully at DOT expense
- Shelly will check w/ Milwaukee U.S.A. about copying of tapes & provide extra copy to FOIA requests; but Shelly to do request - purpose of reading room
- need to draft follow-ups on 10K(e)
- planned date of response for letter
- review ~~10~~ 10-K file for FOIA exemptions
2. Steve - Mead Corp. & P&G
3. re tall PC Anywhere
4. mail to Glenn on PC Anywhere
5. fax to Nat. Mgmt. Appraisal Commission
6. Tom Custer: WI River & Muskegon field work
7. mail to Brad
8. mail to Diana Lee for FOIA review

18 JUN 96

WEEK 7/31

1. propose 2nd round of copying for reading room
2. look over temp. business for Jackie
3. list of "to do" for temp
4. fill list for copying finished
5. mail about funeral
6. mail on reading room letter to responders
7. Bill conf. call (Region - wide)
8. Brad: talked to Sue Rozanek - she needs more info. for scope-of-work; call Sue Rozanek ASAP

- talked to Bill yesterday about A.B. & strategy - he brought it; will read on plane; to talk about filing & strategy & negotiations (retaining leverage) - agreed
- CBT confirm letter
- another FOIA yesterday; attorney letter with (also for Shelly & Austin)
- file cabinets ? - need; ok
- leave slips etc. Janet sign mail, d sign for (both for Brad)
- need to look at Janet Brewer critique of RLPO cost accounting & work w/ Jackie to contact good system
- get salary + overhead from Jackie - Lisa on 24th
2. call Joel: meeting 24th or 25th JUNE; d will talk to Sue for additional info. for scope of work
10. call Sue Rozanek: left message - need info. for what should be in scope of work
11. call Brenda Sanders about FOIA: gave Brad Wonath, Roger Kehn, Pete Eschweiler as contacts
12. Brad & Shelly: FOIA letters
- COK Nicolet, Cntl Paper, Thilmany, P&G Mead, Lake Superior
- P.P.G., WTM Rexnord, NCR, Appleton Papers
- U.S. Paper & Ft. Howard; language mod. from Shelly
- Bill, Pete, Dr meeting; Matt Richmond wanting in (asset & litigation) (asset ~~protected~~ protected) (potential liability & ~~stock~~ stock prices)
13. Jackie: get new file cabinets for $1300, Rusty chair Monday
14. Federal Protective Service checked Sunday at 7:00 - advised to keep doors locked

19 JUN 98

1. stamp Thilmay
2. PC anywhere connection
3. Josh: confirm meeting
   - tell Ken to go ahead w/ tens
4. Don Tillitt
   - ball park $ for fish.
   - he will try to line up hatchery for thermine-depleted fish; he will let me know if needs help
   - he goes to Russia for 2 weeks on July 6; would be great if have $ answers & go ahead before then
5. email to Ken & message thru Joe to collect tern eggs
6. email to Josh on Tillitt & Ken & proposed field meeting in next 2 weeks (cc Frank)
7. email to Kevin on PC Anywhere: "DOS port" disconnect
8. Joe showed Jackie NCR stamping (don't need to X out old #s)
9. Steve Drimmer (303-449-4590 (home)): need anything for budgets?
   - waiting for Sue: will track her down on MON, if necessary
   - send as much on fish budgets as possible ASAP
   - told need field meeting in next 2 weeks in Boulder
   - talked w/ Mark; calling Don; fish picture coming together

10. Reg Pallesen: July 1 conf. call ~~[illegible]~~ Benning (Pedicord) to try to resolve engineering; quick agreement on $FUND unilateral by August; stipulated FWS has not concurred w/ industrial site 500 ppm Pb bed & FWS will want wetland mitigation
11. email to Frank
12. call Leslie about RD meeting
   - RD meeting went well - covered many issues quickly, not many resolved
   - Ben will try to talk to EPA again
   - Bill has ideas on how to create settlement environment - but understands limitations
   - legal team MON
   - TUE: legal team will go over all of the issues w/ whole team
   - to told Leslie about potential field assessment meeting at later date (but soon)
13. Joe: sorted ADMIN files; started stamping RIVER

24 JUN 98 fly to RO WEEK 7/32

1. meet w/ Frank: updates
   - J.C.: Bill must delay meeting until tomorrow afternoon or cancel. Bill will contact Pete & Ben before deciding
   - copy of FR Silver Affidavit from 15 MAY 98 (Frank received this morning
   - list of topics to cover today
   - Shelly & Joan: Maureen called: DOJ says Bill called & cancelled; DOJ wants to cancel; Frank, Shelly, & I propose quick meeting in D.C. & in Boulder

NESSLAGE
202-208-3694
202-501-7977 DIRECT

- Clokey sent proposal for FOIA - Shelly will FAX
- Ken got ten eggs
- call Bruce Nesslich about WAG & CS: May 30, 1996 (96-6) WAG w/ carryover table - $1771K doesn't include (accompanies (all #3)) $234K for FRGB (all): $2005K total; $1771 incl. $284 Sag Bay. $15K project management; $827 FRGB total for FRGB: $827K+234K ($1061K); $649K FRGB = $1710K grand total (1476 new - in WAG) (234 in carryover table)
- call Maureen Katz: left message about D.C. visit
- call Bruce Nesslage w/ Deanna Vilandrie: cleared up OFTs
- Maureen Katz: set meeting for Th @ 9:30 am in D.C.
- Deanna will OFT Green Bay tomorrow
- connect w/ Shelly: Thursday meeting set; DOJ comments by 28th, Oneida also; Shelly will check w/ Bruce Greene; Shelly has comments on FRN
- D.C. people ok w/ cancellation
- trustee MOU follow-up (good); Bill wants to meet w/ Tribal Chairmen w/ MOU in-hand (ok)
- Ken
- Mark
2. talk to Lee Kozarek: add detail to scope of work

25 JUN 96 (RO)
1. check flights
2. call Leona for D.C. & Boulder trips
3. talk Julie morin about D.C. hotel (none yet)

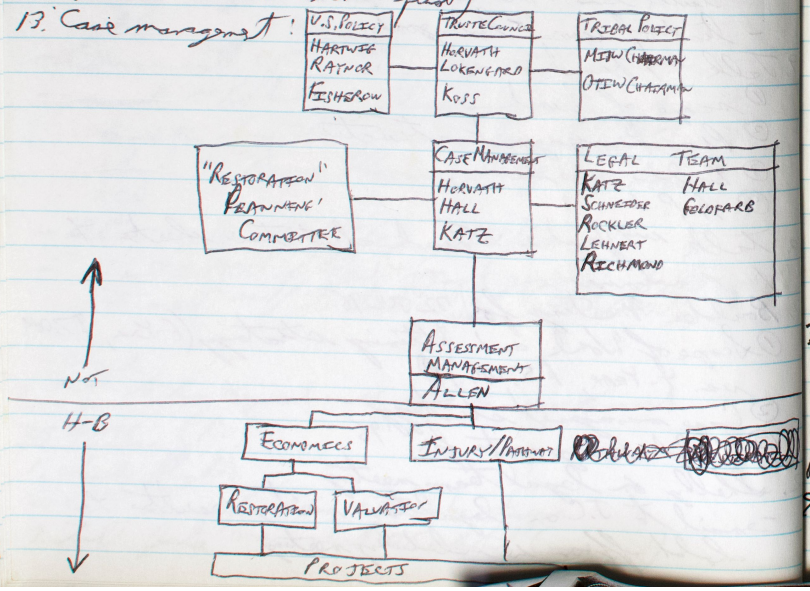
tell Jackie

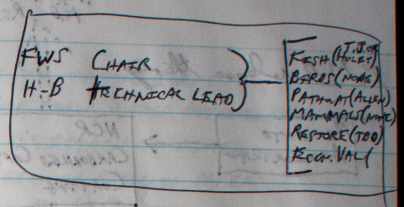
4. re-do scope-of-work: to Sue & Frank; email to me
5. clear mail
6. project management
7. Meet w/ Deanna & Frank on OFT
- $732,740 to GBFO (457,740 THRU APRIL
235,000 FOR MAY CONTRACT H-B$
40,000 to cover Joe & Ed - salary thru the realignment plus 20% for admin rest of year)
8. Shelly, Joan, DOJ looking for space
- need archival copy in DOJ; 4 & 5 ¢
will send FED-EX: 2 locations
- list of issues - looks good
9. Talk w/ Frank
① scope of work
② Project management structure
③ Boulder agenda
④ A.P. ✓
10. talk w/ Jackie & Frank about time sheets & $ & admin.
11. Boulder Meeting for 02 JUL 96
① Scope of Work and $/timing strategy (6-Year, $7.0M vs. 4-YEAR, $5.0M)
② Case management strategy
③ Field arrangements for 96
12. Shelly on legal team meeting
- email to J.C. on legal team meeting results & hold off on re-scheduling meeting

- SOC (Elliott & Shelly);

- Shelly (P.H. 21): AFT (Marcia); Jt. Wheeler ISS Elliott NCR (Marcia) U.S. Paper Joan Stafford; Sala (MIT); Matt (Reinemeyer)
- Marcia will collate DOI A.P. PTRN comments & give to Shelly who will forward to Dave (Shelly)
- question/requests from legal team; 104 copying; weekly conf. call (coordination team only) - draft POTW 104(e) letter; Tribal issues; summary of legal issues; NRDA issue: de-indexing & PCB "101";
- index to Gold file
- scope of the work; Boulder meeting (FAX to Shelly)
- ADMIN files, MARCH (Anne)
- trustee MOU. (DOI reviews first)

13. Case management:



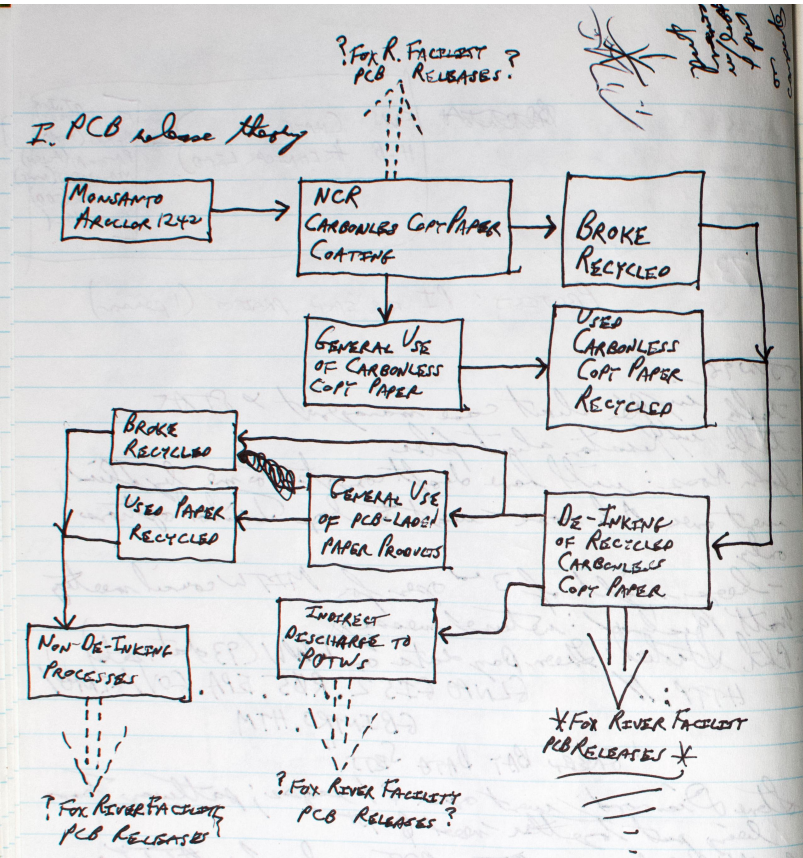


PROJECTS: PI FOR EACH PROJECT (1 person)

28 JUN 96

1. Talk w/ Ron about case mngmt & STAT
2. talk w/ Kristen about files
3. John Ross: will have draft comments to me by Thurs; want over A.P. some - want to keep Tribal options only
   - keep night of 3rd open for MIT w coord meeting
4. Matt Reinemeyer: internet message
5. Phil Strobel: Green Pay data on WWW (93 data set)
   HTTP://GLNAPGIS2.RBS.EPA.GOV/GLNAP/GBINTRO.HTM
   "GREEN BAT DATA SETS"
6. Steve Diamond: want over $4 region; pathway team laying out together - need $, ST
7. Matt Richmond: ~~DOI~~ DOI on board; HTTP on board (need political support - connection w/ Bill) - (DOI not in two on this issue)
   - complicate or catalyze a seal team
8. fly to D.C.
9. notes on PCBs + birding (Coney)

I. PCB release theory



II. Recognizing PCB Releases in the Records

A. BOD, CBOD, SS, TSS (Pulp, Fiber, & other paper-related organics)
- PCBs are hydrophobic ∴ attach to above
- Most of pulp & fiber becomes recycled paper
- Inefficient processes in 50s & 60s resulted in substantial BOD, CBOD, SS, & TSS releases (& thus PCB releases)

B. NCR Paper, SCM Paper, Carbonless Copy Paper
- Most recyclable paper contains ≤ 100s ppb
- NCR Paper ≈ 30,000,000 ppb

C. De-inking process
- As defined in EPA categorical standards & described in EPA 1976 & WDNR 1978 & Company records
- Different than some "De-inking" of inks other than CC paper (still allowed to produce inks up to 5000 ppb)

D. PCBs (total)
- In late 1980s & 1990s analytical techniques measured all 209 congeners at once & 'as one' (& this started in response to the Yosho Incident in Japan)
- Often still measured because cheap & easy (relatively)

E. Aroclor 1242
- Commercial Monsanto mixture made by adding Biphenyl in the presence of chlorine according to a recipe: result is PCB mixture which is 42% chlorine, by weight (1st 2 digits are merely series indicator)
- In 1970s - 1980s, analytical techniques allowed GCMS pattern recognition by Aroclor (e.g. 1242 v. 1254 v. 1260)
- Pattern recognition decreases w/ time, distance, trophic level
- Most/All congeners in all Aroclors - different patterns

II. F. PCB Congeners (unique chemical compounds)
- 209 : numbered ("Congener 126") or full chemical name (e.g. 2,3,7,8- tetra chlorobiphenyl - or something like that)
- Analytical techniques became feasible in 1980; extremely expensive, difficult, time-consuming ($2000/sample) to this day
- Most useful information for understanding precisely what was released, what moved where, & what caused what
- Different congeners can cause same effect (additive TEQs) (e.g. "Dioxin-like effects" - AHH-mediated)
- Different congeners can cause different effects (e.g. estrogenic effects v. embryonic death)

G. NPDES
- Final permits (total PCBs) (categorical and WQBELs)
- Applications (OCs, [redacted] Chlorinated Hyorocarbons, PCBs (total) ("Present," "Absent," "Testing Required," or #26 explanations)
- WDNR WQBEL recommendation memos (PCBs and/or congener and/or Aroclor)
- Negotiation Records: ① WDNR/Permittee; ② EPA/WDNR; ③ EPA/Permittee; ④ Advocations; ⑤ Public comments & hearings
- Pre-NPDES enforcement actions (WDNR) (1940s-1974) of Fox R. targeting BOD/TSS (∴ PCBs accidentally)
- 1970s WLA negotiations (BOD/TSS driven)
- Committee on Water Pollution Fox R. Facility reports (1930s-1980s): Process descriptions; treatment desc., BOD/TSS levels (& PCB or association) measured in effl.
- DMRs (EPA) & NR105 (WDNR): BOD/TSS

H. Production Rates, Production types (BOD/TSS inference ⇒ PCB inference)
- Company Records
- Lockwood Post

I. Overviews
- EPA 1976
- WDNR 1978
- EPA Sub-category [redacted] treatment standards (Pulp & Paper: De-Inking)
- RAP & STAC documents
- H-B Reports

III. PCB EFFECTS

A. DIOXIN-LIKE

- PCBs & DIOXINS & FURANS ARE 2 PHENOL RINGS ATTACHED IN VARIOUS WAYS, W/VARIOS RADICALS ATTACHED
- A FEW MIMIC KEY BIOLOGICAL CHEMICALS FOUND IN PARTICULAR ENZYME SYSTEMS
- 2,3,7,8-TETRACHLORO DIBENZO-P-DIOXIN IS EXTREMELY POTENT IN AFFECTING THE "AHH-MEDIATED" OR "CYTOCHROME P450" OR "EROD" SYSTEM WHICH IS INVOLVED IN GENE REGULATION
- CONGENER 126 IS NEXT MOST PCB & ACTS LIKE DIOXIN IN DISRUPTING THIS SYSTEM
- THE VARIOUS DIOXINS, FURANS, & PCBs WORK ADDITIVELY IN THIS DISRUPTION; TEQs HAVE BEEN MEASURED TO DEVELOP TEFs
- DIOXINS & FURANS ARE NOT PROMINANT IN FR/GB; PCB 126 ACCOUNTS FOR MOST OF THE OBSERVED TOXICITY IN SOME STUDIES
- OTHER PCBs (e.g. 77 & 105) SIMILAR TO PCB 126 ("CO-PLANERS") CAN ALSO ACCOUNT FOR SIGNIFICANT TOXICITY

B. OTHER EFFECTS MAY BE MORE ATTRIBUTABLE TO OTHER CONGENERS : ESTROGENIC

//

- WDNR UPDATE - [illegible]
- MITW UPDATE - [illegible]

T.D. * K-C & G-W 104(e) follow up (address)
* Computer flow chart w/co. names
T.D. [illegible]

IV. FILE TASKS FOR KIERSTEN

1. RESTAMP NCR
2. FINISH STAMPING THILMANY
3. PUT P.H. Gl. IN FILE FOLDERS BY BATES #
4. SEND FOR COPYING: NCR (2 COPIES)
   P.H. Gl. (2 copies)
   THILMANY (1 COPY)
5. ORGANIZALL FILES BACK FROM COPYING
   - ORIGINALS: KATZ/DOJ
   - COPY #1: EXTRA/DOJ
   - COPY #2: READING ROOM
6. FILE READING ROOM
   - LABEL DRAWERS: "GREEN BAY NRDA 000000 - 000000
   - REMOVE FOIA EXEMPT DOCS IN BATES ORDER FOR PDA2 OFFICE
   - PLACE NON-FOIA EXEMPTS IN DATES ORDER
7. LIST ALL FILES WHICH ARE STILL NEEDED FOR FILE ROOM

//

10. call Kierston about

27 JUN 96 DOJ - D.C.

28 JUN 96 5h home (weekend)

- case management discussion
- review of legal issues
- review of NRDA & PCB-release & PCB pathway & PCB tox.
- documents; SOL; Trusteeship

(5:00 am – 12:30 am)

02 JUL 96 to Boulder: Josh, Bob, Steve, Frank, me WEEK 7/33

1. revise scope of work: ① draft; ② email Frank & Josh; ③ Frank sign & to Sue after ok
2. September litigation and evidence meeting (Green Bay or Twin Cities) (DOJ & HB)
3. case management & structure

03 JUL 96

1. clear mail
2. review files w/ Kiester
3. travel vouchers & time sheets
4. Maureen Katz: already got info.; how was Boulder; document status: 14,000 pages today; more to follow
5. call John Koss: line busy
6. modify scope of work: email to Frank, FAX to Frank & Josh; call Frank & Josh
7. Darlene: switch to FRIs off
8. go through latest ADMIN for FOIA exemptions (partly done)
9. talk to Janet: updates; FRC; updates
10. email to Frank
11. Sue: revised scope to Frank this afternoon
12. FY96 files home

04 JUL 96 : HOLIDAY

05 JUL 96

1. revise latest FOIA exemption categories; note & file to Joe
2. organize files; talk w/ Kiester
3. note to Frank & Shelly to send CBI from SOL; CBI confirm letters; A.P. comments
4. read Mark Holey's note on FY96 budget & fish work
5. review FOIA exemptions; update & print dBASE (file & hard copy to Joe) (hard copy Kiester)
6. email to Frank
7. ELR

WEEK 7/34

08 JUL 96

1. update computer files
2. work on reading room
3. email to Frank on Mark, Ken, Joel
4. call Frank about needing John Mullins signature for copying
5. create READRCOM.NOT
6. Shelly Hall: consolidating comments from ATTYs (got late last week; will FAX to GBFO & RO
   - CBI – can't find it; still looking
   - James River
   - conf. call @ 2:15 pm
7. clear mail
8. talk w/ Janet: updates & trouble areas
9. Shelly & Frank
   - Frank sent justification to D.C. for acquisition request for copying: answer CAS tomorrow

Emerson
800-362-2...

- Shelly will call Menasha & GBPK & RIVSFDE about CBI responses — CBI FED-EX direct to Shelly - ok
- need to respond to Clokey request to ship files for copying
10. Frank: GPO exemption being sought
- ok on keeping PRP files to prepare for Aug 16 (don't try to get archival copy to DOJ for now)
- ok to put FOIA-releasable category in reading room
- FAX room receipt from D.C.
- budget
- conf call 1:00pm conf. call
11. talk to Ken about budgets/proposals: gone for day
12. call Josh (not there): Steve Diamond: will have tomorrow pl (proposal finished)
13. call Frank for U.S. Paper "no-CBI" letter
14. note thanking Jackie

09 JUL 96

1. daily update to Frank
2. hotel reservations: $139
3. Frank: GPO contract; Lynn Kelley says GPO won't grant waiver, but will call for local quotes & let GPO contact; someone at GBFO will have to sign; gave estimates for page sizes
- don't come to conf. call @ 1:00
- Sparks at RO Th morning
- Shelly talked to the 2 attys: GBPK & Menasha: verified no CBI: Frank will great
4. Virginia (EPA - St. Louis): how many copies by 12th 5600 (Thilmany) ok

1. memo to Frank on doc. control

1. memo to File on Boulder negotiations (cc Sue)

5. Dan Sparks: hotel info.
6. reading room
7. long conversation w/Ken

10 JUL 96

1. email update to Frank
2. drive GOV to RO
3. meet w/Frank
4. Janet on phone, about budget
5. call Tillett w/Frank for budget (next couple of days); talked about Sturgeon; can he see H-B proposal?

11 JUL 96 (RO)

1. read H-B cost proposal (PIII, FY96)
2. call John Goldfarb (202-208-6620): non-PRP files to DOJ: which most helpful for PRP liability: see memo
3. meet w/Sue, Frank & Dan Sparks
- went over FY96 commitments, obligations, OFTs, & acquisition requests
- obligation does not occur until Sue sends contract or contract mod. to Denver
- Dean can amend $700K acquisition request (ORG code and amount)
4. Frank & Dan
- DOJ conf call; Fishrow/Adamkus/M. Smith/Ulrich - EPA will get back to us on their involvement

1. [illegible] memo Frank → DOJ on proposal review

Warner will make sequence chart for legal team
- Ken's mail
- A.J. comments need to move forward ASAP
5. use "chart" to do ACOheleus theory for OOJ; FAX to Shelly/Frank
6. Warner/Frank
- need originals, not copies: ok; how soon? Amanda then 24-26; until mid-PAR
7. document review
① Complete FOIA-releasable file: reading room
② Complete FOIA-exempt file: my office
③ Archive AOMIN: my office
④ archive 104(e): DOJ
⑤ Copy of 104(e): DOJ
⑥ Copy of AOMIN: AUSA, DOJ
⑦ 4-B files: Boulder
8. Shelly/Frank/Dan
- NOAA discussion
- update
- Legal team comments? Anne/Warner

12 JUL 96

1. review Ken's proposal
A. KEN'S SALARY + MISC. (USCG? NR105? REFUGE CRANBERRIES? ANECDOTAL FISHING SWEEP IN SPRING? EAGLE FIELD WORK? NPCES/$ FUND REVIEW?)
- 1996: 39.6K (100% of OFT)? 1130-BASE
- 1997: 70K 1130-BASE
B. TREE SWALLOWS
- 1993: 15K 1130
- 1994-5: 133.5K 8312
- 1996: Ø

1. [illegible] Document summary (files)
1. [illegible] send DAN FY96 request (w/KA memo)
C. OCCO [redacted] FIELD
- 1988-1995: ~$700K 1130-FLEX
- 1994-1995: $111.5K 8312
- 1996 : ØØ + 5% OF KEN'S TIME (ALREADY DONE)
D. OCCO BRAIN ASSYMETRY
- FY96: $9K 8312 (ALREADY DONE)
- FY97: 5% OF KEN'S TIME
E. OCCO EGG-INJECTION
- FY94: $50K 1130
- FY96: $15K 8312 + 5% OF KEN'S TIME (ALREADY DONE)
- FY97: $?K EPA + 5% OF KEN'S TIME
F. EAGLES
- FY95: $15K 8312
- FY96: $48K 1130-FLEX (MOSTLY ALREADY DONE)
- FY97: $~~45K~~? 1130-FLEX +5% KEN (PROPOSAL SUBMITTED)
- FY96: $25K 8312 - BLOOD/CONTAMIN +5% KEN
- FY97: $? 8312 ($0-$100K PROBABLY)
G. WATERFOWL RESIDUES FROM HUNTED SPECIES
- FY96: $15K +5% KEN 8312
H. MINK
- FY96: $30K +5% KEN 8312
I. YELLOW-HEADED BLACKBIRDS
- FY95: $20K 8312
- FY96: $0 (5% KEN'S TIME)
2. read emails: update STAFFING sheet
3. note to Jodi Reiter re PC number
4. flip chart on Ken proposal standing for Frank
5. memo on document management to Frank

6. meet w/ Frank on budget

15 JULY 96 (DAY OFF) (HOME) WEEK 7/35

1. Frank: ① Shelly FAXed A.P. comments - upset because Joe didn't use new (May 96) 43CFR11; also # of questions ② Steve Diamond: H-B desperate for funding (even interim); ③ Jane Cloke letter; ④ Frank will call tomorrow afternoon; ⑤ July 26 deadline for coops (Tillitt; Dykstra); ⑥ budget looks good $143K left for GBFO 83R; Janet ok w/ Mark on Tillitt coop and on budget ⑦ tell Shelly reading room ready
2. email to Frank (cc Shelly)

16 JULY 96

1. Shelly: talked about A.P. comments; Bob Rowe will be back next MONDAY - FOIA from H-B - give them a call; Copies of ADMIN copies for DOJ - SOL can't pay (do we really need archival copy?) - Shelly will check; proposal - Shelly will remind DOJ
2. call Sue Kozarek: left message for FRI contract approval
3. call Steve Diamond: left message about proposal + FOIA
4. Matt Richmond: helped w/ files; will send current indexes + descriptions (Joe); going to D.C. for Amendola meeting; briefing today
5. Sue Kozarek: need acquisition request from Deana; father heart surgery - back Th or FRI
6. Tillitt proposal: Mark needs do coop via Jackie; was

Joe

(Lt. Howard)

7. Mark Reimer: reading room; Shelly Hall told Q. + B. to arrange times w/ GBFO; I told that Q. + B. request narrower than whole reading room which will not be ready until August 16; can make appointment for what's in now? Yes
8. Jackie Powell from Lt. Howard: appointment? gave to Joe
9. email to office on reading room rules
10. note to Jackie to go to 4, 10-hour days (FRIs off)
11. memo to Sue on H-B negotiations for Phase III; send
12. Joe to boat safety for 1 week!?
13. email to Deana, Sue, Frank on acquisition request w/ NEGOTIAT. MEM attached
14. travel voucher
15. email update to Frank

17 JUL 96

1. work on files all day

18 JUL 96

1. work on files
2. Elliott Roskler: Kennicott Decision: District Court "B" SOL is not later than 1987; [illegible] Service reports dated when?; Difficult on fish consumption advisories; Table 6-5 on 6-15 - what month?; also GBMB dates?; also names of contacts
3. Tina: which companies in 9 boxes: told her from Kiersten's list

1. "Budget memo

(276.5K)

4. budget w/ Ken, Janet, Jackie: (156.5K(8312) + 81K(1130) + 39K FED)
- 10K future admin salaries
- 10K copier
- 60K waterfowl & mink (30K each)
- 25K eagle congress
- 10K copying
- 88.6K 1130 spent
- 10K egg injection
- 10K temporary on recovery
- 5K Tillett chemicals
- 15K travel
- 8K DCCO lawyer

* Janet's calculations $121,600 new 8312
$ 38,000 new 1130 ($6K deficit)
* Ken's ecorisk DCCO analysis for '97: $75K analytical (Clearly 5K)
25% Ken's time
$ 5K misc.
$ H-B Overview

5. A.P. comments to Joe
6. Tx. Howard - reading room w/ Joe
- copied some non-BATES files; Joe will copy DOT
7. P.H.G1 sort & dBASE & FED EX
8. email to Frank
9. bare instructions for Joe

250768

420015-420072

19 JUL 96

1. Shelly: A.P. comments; FRN comments; Clokey - burning machine
2. note to Elliott on S.O.L.
3. A.P. note to Frank & Joe
4. GDFO budget summary to Janet
5. P.H.G1. to read room
6. Steve Diamond: $?
- called Frank & Sue & left messages
7. bare instructions for Kristen
8. Matt Richmond: got update; couple question; may move his file to DOT
9. Maureen Katz
- update on files (WRC, Thilmany, P.H.G1.)
- map of deposits? - done (Joe)
- send Nicolt response letter to GBFO
10. DOCUMENT.MEM
11. Frank: acquisition request MON (Sue still out); Maureen sent proposal comments (FAX) (16 pages); fall allocation coming up (email); Kennecott decision (email); FED-EX A.P. comments to Frank; CGS costs: 19K-23,750; J.C.: Lumi says WDNR wants to meet w/us (they will travel)
12. tell Steve Diamond - contract MON
13. Shelly: SOL memo; Kennecott; proposal; A.P.; reading room
- tell Joe to retract ADMIN until 1 AUG - done
14. Matt Richmond: S.O.L. discussion

22 JUL 96 VACATION WEEK 7/36

30 JUL - 02 AUG VACATION WEEK 7/37

05 AUG 96 WEEK 7/38

1. go thru email (XO)
2. go thru mail
3. talk to Kiersten
4. cancel EPA sed. workshop trip (Bethesda, MD) - to Kansas
5. ELR
6. Frank & Shelly
   - originals to D.C.; misunderstanding
   - reading room closed & locked
   - Shelly trying to retrieve a few pages from Lt. Howard
   - Joe has log book
   - email/memo to confirm all agreements
   - J.C.: queries from Sumi: WDNR to RO late August; probably looking for cooperative arrangement; Entrix hired (Lt. Howard) for cooperative arrangement
   - need A.P. to go forward before WDNR can stop it (10-day delay because of contract snafu); Josh will have A.P. on disk this FRI
   - SETAC: Frank talked to Maureen; abstracts from Tom Custer, Chris Custer, Diane Nershel: 8 of 10 papers involve our NRDAs; Maureen will talk to Brighton DOI/Kennecott decision: connection key rather than injury alone will probably be our argument

- proposal: potential delays (2-weeks) for schedule (Specht)
- documents: copies vs. originals; documents available before review; FOIA responses - only copies; still working on liability w/ Amendola in other State; many requesters for reading room
- I should monitor for now (unless becomes too burdensome); locks on all cabinets; all requests for access to Shelly
- confirm that 104(e) non-PRP in one cabinet; then Q&B can come in

7. Document handling history (104(e)) (my thoughts)
   - request letter
   - partial response (copied originals & switched)
   - ~~[illegible]~~ begin sending for copying (1 copy) (loss of control)
   - begin stamping then copying (1 copy) (loss of control)
   - rest of response (copied originals & switched)
   - stamping/copying/sending to DOI (1 copy, thought talked about 2) (loss of control)
   - remaining copy put in uniform binders (~800 pp/folder) in Bates order w/ uniform labels: GREEN BAY NRDA, Reading Room, Most general category, Bates range (no gaps between binders, drawers, or cabinets)
   - rechecked ADMIN file & removed all docs not already released; put in uniform binders as above
   - re-checked whole reading room for originals & mis-filings & out of order sections (found Nicolet gap & several of Joe's notes) (missed 1 of Joe's notes)

- Told to open reading room for Q & B
- informed Frank that ADMIN in room, but vouched for analysis
- Dr. Howard requested access: said that Q & B had been told to coordinate access w/GBFO (consistent w/our discussions internally)
- access granted

MISTAKES MADE

① DOJ ~~[illegible]~~ did not request "original copy" before file handling had begun; (ref. GB field trip by [illegible])
② FWS allowed multiple switches of "original copy" w/ "copy of copy";
③ GBFO missed at least 1 original (further QA/QC mistakes are possible; ever review introduces some level of mistakes) (immediate FED-EX to Maureen)
④ team did not institute a reading room access system before FOIA deadlines were reached.
⑤ at least 1 gap introduced at GBFO (more are possible)

CONTROLS INSTITUTED

① locks on cabinets
② access through Shelly
③ monitoring by PDA2
④ final file review by legal team before whole room opened
⑤ inadvertent release of docs: request return & preserve exempt status

responds to treatment & chemo-therapy (2 tumors in left lung) (also spots)

Cat-cell carcinoma - go [illegible] brain - but no symptoms there; cat-scan WED (radiation if there)

CONTROLS still needed

① stop shuffling the paper before it gets more screwed up!

8. move GBP files to seperate cabinet (Joe will install locks)
9. Conf-call: Shelly, Frank, Kirsten, me: documents
- reading room: 03 SEP 96 deadline
- personal files
- memo: J.C. → Janet: go thru files (draft for Frank) (get info. on personal files from Shelly)
- starting FOIA categories tomorrow (legal team)
- Josh: WP file by FRI 9th (A.P.)
- Hartwig/Horvath: worried about WDNR/A.P. interplay: strategy for A.P. before OR after
- Maureen: Matt available 23 & 24th; Josh 24th & 25th; 24th (DOJ) & 25th (H-B) & 26th (DOJ)
10. email to Frank & Shelly on reading room
11. daily update to Frank

06 AUG 96

1. long talk w/ Frank about docs & last 2 weeks: ended on same page (appease DOJ)
- re-stamp Joe's notes on 104(e) as ADMIN, put gap in d BASE
- 1st priority this month in funding
- schedule vacations carefully
" - for quick change

- write down agreements
- be careful to avoid H-B work on anything outside of contracts; Sue single contact on contracting issues
2. told Joe to re-stamp his notes, put gap in dBASE, email Shelly, Frank, me on decision
3. Joe: Shelly needs pages per doc in index
4. write dBASE program; convert dBASE index; email to Shelly
5. Call from Shelly on documents
6. Call from Susan, et. al. (Shelly joined) on documents
- determine source of documents
- determine if other agencies want to review files for FOIA exemption
7. Reg Pallesen on LKGN plus conservation easements to be negotiated
- PRP cash-out offer $400K; EPA said no
- EPA looking for >$1M to discuss w/PRPs; Olian indicated 2nd offer may come
~~[illegible]~~ - EPA cost estimate $2M; $ fund make up difference
8. switch 9 lines: copy of copy for copy of original
9. ELR filing

07 AUG 96

1. go through LIST.TXT to determine source of copies done
2. Sinha Holst
- as result of Tishenow/EPA meeting, EPA sent internal message that DOI FRN imminent & will include $400M-$1B and EPA must, as matter of law, have position on FRN, & Ben would like to see support for sister agency; ~~[illegible]~~ note says DOI/DOJ will file in March
- FRC meeting ~~[illegible]~~: 6 months of work resulted in validation of models & input of additional data only; NGOs furious w/lack of progress on remediation alternative; very confrontational meeting; also, WDNR restricted NGO comments to beginning (& end) of meeting - more confrontation ("business meeting"); threats of bringing media & cameras to meetings
- STAC meeting: GAS-led risk assessment led to very low sediment endpoints: Tom & Missman furious - can't use those #s [or will withdraw from FRC according to Ken/Paulsen]; want Monte Carlo stats run; went to WDNR w/Jerry
- Steve Gaulicarsk & Rick Trox left & are seeking PRP employment as consultants
- I said: no #s in FRN; March filing date likely, but not in FRN; no DOI requirement for EPA position, but may be EPA-related needs or requirements; DOJ fully engaged & working on S.O.L. (FWS) & liability case & docs; WDNR wants to meet w/DOI again; updates
3. FED-EX LIST.TXT TO MAUREEN KATZ/SUSAN SCHNEIDER/SHELLY HALL
4. ELR - Wiersten: 500 more into P.H.Fl
5. call Joe for update: no files from DOJ; file server crashed - re-booted
6. V.C. draft memo on GBFO & personal files - sent
7. daily update

08 AUG 96

1. set up Kirsten on other computer using Gi
2. call Maureen about overnight mail LIST.TXT: detailed message
3. check to Frank for hotel
4. overnight mail receipt to Jackie for reimburse
5. call Herb about NRDA proposal
   - he would like a few $1K for BIA travel
   - he will call Tribes today & suggest that electronic versions of their parts be sent to me by 23 AUG - that will give us time to discuss & fine tune before 04 SEP RO deadline
6. work on NRDA funding proposal
7. Larry Shepard returned message
8. Frank
   - Kirtung / Raymon / Fisherow agreed to A.P. FRN schedule
   - Josh will FED-EX disk today: if unwarned issues - flag; I should call Josh today; he is worried about some legal comments: ① Phase III work - if describe some, must describe all; ② S.O.L. language; ③ trust resource description - Shelly had language which she then struck; he will send w/ blanks, incl. abstracts for Stromberg
   - Maureen sent re-draft of FRN - take a look
   - working w/ Kirby on NRDA proposal
9. call Josh about A.P.: left message to call if needs anything on A.P.
10. cleanup hard drive
11. Frank: Josh / legal team worked out A.P. issues - add Steven to list
12. Maureen got LIST.TXT; only copy? yes
13. talk to Tom Nelson about proposal
14. assemble budget documents
15. email legal. not to Shelly for proposal - couldn't track
16. daily update

09 AUG 96 4h off

1. ELR
2. NRDA budget / proposal

13 AUG 96 WEEK 7/39

1. clear mail & email
2. NRDA funding proposal
3. call Steve Diamond for update & set up routine call - left detailed message
4. call Bob Rowe: same
5. call Don Rusch: left message (returned message)
6. updates w/ Ke & Janet

14 AUG 96 to RO

1. read A.P. - comments in margin; talk to Frank
2. updates w/ Frank; - need letter to elect. officials before I leave this week - confirm w/ Shelly before open read. room
3. funding proposal
4. call Shelly w/ Frank
   - Steve Lynnscheid on Chapter 9: marked up; needs revisions; can't mix up restoration & valuation - based; doesn't follow DOI regs
   - Shelly will ask Bruce to look for any mistakes ~~[illegible]~~ (vs. confusing or dual approaches) - for quick change

- back-up plan; remove most of econ. chapter for now
- Shelly will send Steve's comments to Bob Rowe; maybe have Bob Rowe & Steve Peacock on same phone line tomorrow
- will call Bob Rowe
- clarify reading room: not open until Shelly tells them AND me

15 AUG 96 (RO)

1. funding proposal
2. compile comments for A.P.
3. call Steve Diamond about making changes this afternoon: left message
4. call Susan Schneider about both sets are same copy.
5. call Shelly to schedule conference calls w/ Bob Rowe (11:30–3:00 Eastern Rowe available)
   - talked w/ Bruce Peacock; Kennecautt has de-emphasized costs/benefit; Shelly looking @ Kennecautt; Peacock looking at Chapter 9 – fixable; may not want to throw away rebuttable presumption; – he'll write up comments
   - 11:30 Eastern: ½-hour call w/ Shelly
   - 12:00 Eastern: 3 hour (or less) call w/ Shelly & Bruce
   - Shelly emailed MFTW language for Chapter 3; SOL – Tribal may have additional; Joan has FWS statutes ~~Shelly [illegible]~~
6. call Bob Rowe about conf. call times (9:30 & 10+ Mtn.)
7. Trak: 43 CFR 11.81(e): Restoration & Comp. Dam can expand to include other Tribe/State/Fed. laws (like OPA); ~~[illegible]~~

- Chapter 9 not rest. / comp. plan; – even if was, can include OPA
- put in A.P. ~~that~~ not RCDP & move forward w/ a few edits
8. ~~[illegible]~~ Trank and I told Shelly
9. talked to Bob Rowe
10. Back to proposal while Shelly / Trank / Joan hand out comments
11. call John Voss 715-799-4937
    - call tomorrow, if possible
    2-8: incl. plants

16 AUG 96 (RO)

1. finish NRDA funding proposal; review copy; e-copy; hard copy (FRGBPRO$.NOT)
2. A.P. draft letter RO → elect. off (APELECT.LET)
3. read new chapter 9 from H-B
4. fly back to Green Bay

19 AUG 96 WEEK 7/40

1. clear mail
2. notes on NRDA proposal – to Joe for comments
3. ask Mark about '97 funding ($60K temps and 20K each FO for now) – he'll give some figures
4. email to Trank for FRN update and $ proposal to Shelly
5. P.H. Gl. files into dBASE
6. ELR

20 AUG 96

1. Jeff Crabb (Night - Rider): questions about reading room; can he look at room - check w/ Shelly, then back to me if ok; take off site for weekend? no: won't die in our way where at; any deviation will have to be cleared w/ Shelly
   - gave Shelly's #
   - told about outlets, doors & # of cabinets
2. email on case priorities to Frank & Shelly
3. ~~[illegible]~~ Ken: draft manuscripts? files?
4. fix corrupted database w/ Joe
5. update to Frank
6. P.H.G.I. files to dBASE (7 files)

21 AUG 96

1. finish fixing FRGBRECD.DBF w/ Joe
   - problems continue w/ computer: need new one
2. travel voucher for ROtrip
3. P.H.G.I. files
4. Steve Diamond
   - 24-26 SEPT. meeting: Beltman lead (key points emphasized) — will coordinate w/ DOJ & FNS people
   - litigators input on strategy & evidence: need to elevate this topic ASAP (& before next field season
   - Pathway expert meetings: October
   - Tillett & Lake Trout right away
   - A.P. final & in good shape: lost nerve at end - but ended w/ good product
   - keep in touch w/ developments [illegible]

5. Diana Lane → Joe Moriot → me: Shelly has not ~~[illegible]~~ gotten back to Diana about H-B admin files
6. Joe: fill Contam. position = permanent?; switch to Frank

22 AUG 96 HOME

1. P.H.G.I. files to index (402 entries; 4 file folders)
2. email to Joe
3. update to Frank
4. read 1948 transcript on way to MI

27 AUG 96 WEEK 7/41

1. clear mail
2. clear email
3. Matt Richmond: returned message
4. Ken Bolander (EIS, file review, 847-940-0979): returned message
5. read published draft A.P.
6. Matt: DOJ says green light from EPA; will meet w/ EPA lawyers in September; R5 went to I.C.
7. call Linda Holst: EPA is joining action; could use CERCLA 106 authority on case; Memo called Meyer - Meyer was supportive; Adamkus couldn't get hold of Meyer; Linda met w/ people; Roger Grimes (ORC) & Jim Hahnenberg (RPM) (HSRS) (Wanistique site) will be assigned; probably will be large planning meeting w/ EPA, DOJ (DOI?)
   - Linda talks to Ken Stromberg about Renard Island
8. call Josh about EPA: left message
9. call Matt: EPA updates
10. Ken Bolander (EIS): he will do file review: talked w/ Shelly - she said coordinate w/ me; Sept. 12-13 or week of 16-17; confirm on Sept. 9

11. email to Frank & Shelly on Bollander
12. call Roger Grimes about removal vs remediation vs listing vs multi-statute: out until Sept. 3 (Connie 886-6719): left message
13. call Jim Hahnenberg (HSRW-65) (312-353-4213): out until Sept. 3: left message
14. Beth Wallace (IL DOJ): Lincoln Park gun club; sediment has covered shot in LK-MI; worth doing? taste?; gave Reg & Brad
15. read 1948 transcript

28 AUG 98

1. RD - conf. call
2. read 1948 transcript
3. Shelly Hall: returned message
4. files to disk
5. Don Rusch: work order; if turns out can't come back, then he will help us modify to do other work
6. Shelly
- talked w/ Diana Pare - may be doing too much
- need to determine which docs should be reviewed as agency documents
- Shelly sounds a little overwhelmed
- want to be consistent w/ RO SOP
- H-B not federal agency by extension; are certain docs agency docs?; case law speaks to this
- H-B has 2 indexes; published index; docs at H-B not from FWS (published and [illegible])

257-7657

- H-B copying unpublished & not from FWS by FRI: Science, Econ } 20 page index
- H-B also has 10 people's personal files; if H-B to H-B, we probably don't need it
- What we need from H-B
  1. published lit.: (no)
  2. unpublished not from FWS: (no)
  3. subs: no
  4. project files (10 individuals): prepare index of file folders; can give H-B instructions on what to send (incl. electronic copies)
- Shelly will draft letter to Bt. Howard on Vaughn Index, etc.
- reading room arrangements have after decision to open
- don't know when DOJ review will occur
- published index and readroom index in reading room fine
- switch whole
- Ben & Pete: EPA participating w/o listing site; no other details; DOJ/DOI/FWS/EPA meeting in September (may have to be October)
- Environmental Initiative from Pres.: may get trustee order authority: (106(a)) for DOI (w/ EPA concurrence) & other via exec. order
- Shelly found out about EPA FRI
- Shelly comments on proposal this week
- briefed Jamie on Th: she was supportive
7. call Wayne Schmidt, Bret Hulsey, Becky Kates, [illegible] Steve Jaeger, LAKE MI. FED.,

8. Shelly: we have 106(a) authority (p122); need USCG or EPA concurrence; not $FUMP
- switch only non-104(e) response
- will send exempt and non-exempt
9. email file exchange agreement

29 AUG 96 HOME
1. read 1948 transcript - finished
2. read Kerrecutt - finished
3. read ELR (not done)
4. spoke w/ Shelly x 2 on files (1 w/ Diana Lane): guy lit. to Joe list to Shelly pd; Shelly will call FOIA requestors (1 month) whole calumet by Knight Rider
5. Joan Goldfarb: file questions 6. Ken: Clinton in DeRose: I told Shelly

03 SEP 96 WEEK 7/42
1. talked w/ Jim Hahnenberg
2. staff meeting
3. Ken: $15K from Bonn?
4. Todd Ramsey (Consultant on report): Pentamood Site? referred to Don Horne
5. John Ross: got copy of A.P.; wanted to talk about A.P.; authority section looks like was weakened - legal team discussed? I think so
- I will ask Shelly
- areal dispersion of PCBs - issue unresolved; USGS shows lots of volitalization; need to include pathway possibility
- get together next TUE face-to-face

6. Clear mail, 1 email
7. Maureen Katz: received 9 cartons here at GBTO; also 2 large boxes now sent; sending 8 little boxes; 12 large boxes will go this week; still working on non-PRP copying
8. ask Jackie to extend Kirsten 2-4 weeks; she's looking into it
9. ELR

04 SEP 96
1. Steve Diamond: have 2 labs w/ good kids - Beltman will fly to audit; samples will have to stay here for 5-6 weeks; we should have service guy look at freezer & estimate for freezer alarm
- Sept. meeting ok - yes; confirm DOJ
- can start ~~[illegible]~~ analyses? 5-6 weeks from now; we should be able to have year-end balances by
- Mark coordinating w/ Anderson for rest of sampling of fish this fall
2. talk w/ Kirsten, Joe, Steve: use Muellers cold storage; confirm w/ Beltman
3. FT HOWARD files to index
4. Tom Nelson: origin of EPA $? $0.5M GLNPO for Dymond H
5. Frank: proposals; talked to Shelly yesterday - she will send revisions - but no signature until VAS group; make changes & email; call Herb Nelson about getting Ann directors signature; try to get tribal surnames
- call Matt about agenda for Sept. 24-26
- call Josh about agenda (get copy of SOPs)
- sent FAX yesterday on meeting

- had meeting w/ O.C., Sumi, Baker, Horvath on 27th; they will provide A.P. comments
- DOT/EPA/DOI meeting SEP/OCT; I gave EPA update
6. call Matt Richmond: working on it now
7. call Josh Lipton/Steve Diamond: they will call Frank about their part of the presentation; I said practical field guide; DOT has legal, evidence; will send SOPs tomorrow
8. call Herb Nelson: left message
9. ELR

05 SEP 96

1. Frank: talked w/ Steve Diamond; I should lead on agenda for 24-26 SEP; DOT first & ambitious agenda; H-B second & follow-up & consistent & practical field guide; DOI 3rd - Frank will call Morton & Lynnochen (3½ hours)
- 50 person room & 20 person room; follow-on discussion in 1 of rooms while DOI discussion
- call Maureen
- call Don Tillett & Custers
- computer: as soon as know next years $
- public relations: T.J. has ideas; probably not from fund
- freezers: service & look freezers w/ temp. alarms; on freezer compatibility
- DOT: off-site reading room; check w/ Jackie & Kirsten
2. Rich Bishop: Bob Rowe asked him to call on how to keep me in the loop
- telephone (possibly email): Bishop ↔ Allen (Rowe sometimes); every other FRI
3. call Tillett about 24-25 SEP: detailed message
4. call Tom Custer about 24-25 SEP meeting; not coming unless B must
- updates
5. call Maureen Katy: FAX copy of agenda (MSN); - H-B on practical field work for case; also witness experience
6. call Steve Diamond about ↑; conf. call after send agenda (Frank, me, Steve, Doug)
7. talk to Jackie about off-site space; next week will try to resolve
8. Maureen: Chicago conf.?; send agenda; read. room off-site? working: info. next week
9. Herb Nelson: returned message
10. attachments for NRDA & proposal
11. FAX send. conf. agenda to Maureen

WEEK 7/43

09 SEP 96

1. clear mail & email
2. Ross: confirm tomorrow 10:30 am
3. Katos: RO for A.P.? yes
4. ask Joe about sample switch
5. compare H-B doc list to GBKO doc list; note to Shelly & Frank & Peggy Searcy
6. Tina: 11 boxes coming early this week (1 box missing w/ maps (Maureen's sec)
7. Emily Green (Sierra): comment close? Sept. 23
8. read Frank's final proposal version

9. mail to Frank & Shelly on Nicolet pages found by Joe
- blue envelope w/copy to Shelly
- original to file safe
- Joe fixed dBASE
10. Joe printed attachment 7: Published list. index; to Leana for FED-EX
11. call Maureen about agenda: left message

10 SEP 96
1. talk w/Ken
2. finish reading proposal
3. meet w/John Ross, Trieda, Joe &
- air transport & migratory transport question; ref. Fitzgerald & Steuer: Fast Sled: FS-116-96
- reservation? ask Frank
- plants?: Ken; Stolheim: PCBs in wild rice
- upstream
X - authority: unilateral insertion of a word "assert" for "in" (Greene not consulted)
- bald eagle: congress; put Ross in loop ("seeing" DOC)
- economics: get Ross in the loop
X - need to meet before A.P. goes out
- MOA/MOU
4. Frank: talks to Herb: Tribes upset about authority section; Herb thinks FWS not coordinating well w/Tribes; sent BIA signature for NRDA proposal
5. travel $ form for electronic deposit

6. talks to Matt about time for agenda: V - 1½ hour; VI ½ hour
7. call Maureen about times for agenda: left detailed message
8. call Leslie: not involved in presentations
9. call Susan: no message
10. call Steve Diamond about agenda: left detailed message
~~4. ELK~~ no

11 SEP 96 HOME
1. Agenda
- Maureen gave times (on draft agenda)
2. Maureen
- agenda times
- 10 boxes on MON; 3 BOXES 2 FRI's
- at Sediment conference - uncertainties!
- I said we need to engage the current science & how to construct case soon; agree - will need help w/issues
3. Frank: Hartwig & Christian meeting w/PRPs (w/o Frank)
- Janety → Frank FAX: want docs referenced in A.P. (12 total); make copies to give to them; Hartwig asked about FOIAs: 104(e) stuff should be released ASAP
- call Josh about getting copies
4. Joan Goldfarb: ships our files 1st? no; off-site? working; ships next FRI - Oct 6 read, from ?-9th is safer; need Riverside letter on FOIA/104(e) - ok; personal files? - mine are done; Ken's d searched but mess; Janets ?? - Ann

5. Matt: 24th ok; up dates
6. call Frank: left message
7. Doug Beltman & Steve Diamond: A.P. ref. by FED-EX today; have agenda which includes field sampling - will FAX
8. Maureen Mes - typo on agenda
9. Peggy Searcy - FAX / email

12 SEP 96

1. finish agenda
   talk to Beltman
   - email & FAX & call Frank
2. John Goldfarb
   - no Riverside letter
   - Joan will draft letter for Frank on 11/12 BPD docs requested; then we will release (today)
3. Joe will note all docs in box for BPD (Ft. Howard)
4. ELR

13 SEP 96

1. messages for Frank & Joan on BPD request
2. re-read U.S. v. Olin Corp.
3. ELR
4. Rich Bishop
   - internal reviewers (trying to line up): John Stoll, local, mike working on FPA expert; risk-assess (EPA) econometrician (not yet); Ed Money at U. of CO. collaborating;
   - conjoint analysis: wading up; like CVM, but [illegible] tradeoffs across attributes; Odom[illegible]

T.R.A. → BISHOP@AAE.WISC.EDU
Bergen's # & Doxtater's #

related to marketing techniques; Dilman on survey work; may need fresh reviewers for Court
- intercept surveys of anglers: but August wasn't ideal; will go to Courthouse to get fish licence for four groups. Madison office will start soon; planning document due in December;
- also looking at 2° info. (WDNR, FWS, etc)
- non-indian subsistence fishing: Hutchinson at UWGB worked on Hmong populations;
- indian side; make contact again
- total value; DOI rule issue from D.C.; "other reliable methods"; somewhat confused on how to proceed; no change of strategy - just had to do w/ A.P. published. DOI rule says can have passive use but only if no use values can be calculated: makes no sense to follow this; we will need that part;
- compromise Conjoint / CVM (affordable) to scale restoration; expert litigation arguments
- Hutchinson worked for PRPs @ Sheboygan - but different PRPs; conflict of interest looks absent; how to get approval
5. Joe: got log book for fish
6. call Frank about BPD request; hasn't heard anything; checked v-mail: Joan said send letter; the show Shelly 1st. draft it email it FAX it
7. draft [illegible] response to Jamety: email & FAX to Frank & Shelly
8. email to Julie on seminar; to FO on same
9. move fish to cold storage w/ Joe; Joe & Pat log book; all bags secure in freezer; some opened while putting in lockers

1. RD → AFR letter on proposals

10. Frank: talked to Shelly. She will FAX letter to Jamety today (& Frank & I); can be picked up today.

WEEK 7/44

16 SEP 96
1. work on database and index & BATES.NOT (all day)

17 SEP 96
1. work on database & index (Joe on literature database)
2. P.H.G1 indexes for DOJ: to Maureen; cc Frank & Shelly or cover
3. ELR

18 SEP 96
1. FORT HOWARD & BASTE
2. Joe: news said Cuddle dismissed / MFTW treaty rights case
- email to Shelly & Frank
3. Ft Howard reports to Maureen

17 SEP 96 (HOME)
1. RRLOG.NOT
2. Ken: Henne memo w/ EPA-LKGN proposed $FUND action ($2M)
- Ken will work on FAS support memo thru Henne
- I will call Pallesen for info
3. call Reg Pallesen: detailed message on
4. call John Ross about ECON contact: line busy
5. BRIAN ARHIN - News Chronicle
- Q what's going on?

- A. A.P.: notice of availability in FR
- Q. What is it? A summary of info. & approach of trustees
- Q. Thumbnail sketch A. Can get copy from RO
- Q. What's next? A. Comment period; consideration of comments; change & re-notice or proceed; Report of Assessment
- Q. Report has accountability? A. Any claim for damages would be based on Report of Assessment
- Q. Same 5 PRPs A. 7 - APT & NCR
- Q Others 5; Front, WTM, RHG1, Riv., U.S. Paper
6. Joe: will fix 2 file folder #s
- stamped in most of ADMIN
7. Maureen
- got NRDA article - thanks
- got P.H.G1 summaries - great & timely: Amendola in D.C. tomorrow to go over P.H.G1 file; intrigued by addressee list
- need overheads & mikes for seminar if possible
- penultimate shipment out by UPS MON; only 3 cartons left after that
8. FAX RRLOG.NOT to Frank, Shelly, Joe
9. email: (Shelly) FRN extension to 60-day based on Maureen / Shelly / Frank call

WEEK 7/45

23 SEP 96
trans to RO

24 SEP 96 RO (Litigation Section) (DOJ/DOI attys - Chief Rivers)
I. duties (role of attorneys / privileges): Maureen Kelly

25 SEP 98 RO (Litigation Section) (DOJ/H-B/DOI - Atty - Chief Rivers)

26 SEP 98 RO (Litigation Section DOI/Fish rule discussion)

1. Notes to Read (to be discussed)
   - RO → DIR memo on Green Bay & rule only (don't emphasize other cases)
   - Reassign lead & Rs
   - Carve out 50% + items for case management; more updates
   - then we lose or document / case theory discussion on fish & human
   - shut down some activities which are contributing to/ability to pursue case (NR TM, Kelly Bush, heating bowl, etc., etc., etc.)

2. NCR discussion points (preamble)
   Theory: ① NCR paper has high level PCBs (3%)
   ② H.How. & P.H. & Dl. recycled much NCR PAPER
   ③ treatment / discharge of P.H. & Ft. Howard during NCR recycling resulted in high level 1000/TSS discharge to Fox River
   ④ NCR paper PCBs added to 1000/TSS during recycling
   ⑤ Fox River has high level of paper mixed deposits w/ high level PCBs
   ⑥ Fox River sediment PCBs are transported to the Bay & Lake at high levels
   ⑦ ~~Green Bay, Lake~~ Fox River sediment PCBs transported to Bay / Lake expose WRS & trustee resources to adverse effects
   ⑧ Fox River sediment PCBs transported to Bay / Lake expose Birds (DCCEa, swallows, herons, gulls, ducks, terns, peregrine, osprey, eagles, mink, otter)

⑨ Fox River sed. PCBs expose fish (salmon, trout, walleye, carp, perch, sturgeon, perch, others)
⑩ Fox River sed. PCBs expose Fish (under water (NWR)
⑪ Birds ingesting impt. amts PCB meals accept. chit. and PCBs highly in tissues and embr. mort. signif. higher in tissues
⑫ PCBs injure birds
⑬ PCBs injure fish
⑭ Fox R. sed. PCBs injure Bay / Lake DCCEa (embr. toxic.) at low levels in predictable way
⑮ Terns are much more sensitive than DCCEa to PCBs
⑯ Green Bay Terns are injured by PCBs
⑰ Other sensitive species likely are injured
⑱ Fox R. sed. PCBs may be responsible for Green Bay / Lake injuries which are caused by PCBs in lake (being studied)
⑲ the only way to prevent continued exposure injury is to restore
⑳ Fox R. ~~is only part of the problem and natural systems~~ not substitute for G. Bay or L. Mi. shore
㉑ the value of services lost due to Fox R. sed. PCB-caused injuries justify the restoration of Fox R. sed. (being studied)
㉒ past / residual damages justify additional compensatory restoration (being studied)
㉓ Ultimate question: how much affordable restoration must be accomplished to lessen/eliminate exposure injuries?

Rule Discussion

Remaining things to do (for me)
V1. receive H-B invoice
V2. RO → DIR letter &
V3. DC → Forest & Ken files
V4. sign-off on QA/QC proc
V5. Oct 11: EPA/DOI/DOJ in D.C.
6. Case theory elements

30 SEP 98 WEEK 7/48

1. travel voucher; leave slip; time sheet; clear mail & email
2. email to Rich Bishop on rescheduling conf. call
3. note from FRI (home voice mail): Reg Pallesen: meeting scheduled w/ Wahn (last chance settlement); Brad ready w/ heavy equipment contracts
4. 15-20 pages filed (Ot. Howard)
5. email to Frank on J.C. → 6 BFS personal files (searched email & files; Aug 7 sent from home - check this
6. new copy machine arrived today
7. check invoices for Sue
8. Ken Bollander: on file review - schedule for next 3-4 weeks; we can't schedule anything until Shelly tells us she is done w/ her work; coordinate w/ her; ok files not ready yet right? coordinate w/ Shelly
9. call Sue Kozarek: invoices from H-B look ok; confirm amount sent vs. amount left though; balance $1,200 + 95 contr; $1,363,360 '96; $1,063,000 left
10. FAX ELR bill to Frank
11. email ok to Sue
12. RD → DIR memo on FRFB $
13. Reg Pallesen: 03 OCT meeting (connect by phone or attend if quiet) - spoke w/ Wahn: cash out still possible but EPA willingness will dissipate at some point - will cost more then - Brad there w/ dredgers last FRI (separate stabilization contracts later); may use timber platforms for heavy equipment; stockpile materials upland WI; stabilize & dispose in SP; realistic estimate soon (maybe higher) - talked to Marcus Hotels also; JMB indemnified as part of sales contract

1. [illegible]

- may meet w/ Marcus next week about work
- work maybe by 14th
14. draft memo RD → DIR emailed to Frank
15. Randy Schademann: George Allen from FWS - Kansas
- criteria for Pb - shot in sediment?
- no; some surface/soil work by FWS - but not really applicable; practical questions of what can be removed & how to restore wetland
16. theory of the case

01 OCT 98

1. go over NCR files w/ Joe
2. re-send RD$.MEM to Frank
3. theory of the case
4. call Jeff Stevens about DOJ
5. Maureen Katz
- boxes
- anadromous fish
- seminar
- FRI meeting
6. work w/ Joe on NCR files
7. Rich Bishop
8. Joan Goldfarb: 2208 - 2242 need; name of person at ACOE → enter in dBASE
9. Reg Pallesen: LKFN meeting off for now
10. QA/QC reading room

Th: Holiday Inn

1-800-252-[illegible]
conf ID CD78642

02OCT96

1. Rich Bishop: strategy for rec fishing side - maybe conf. call (11:00 am)
2. Tom Carter: Sparks withdrawn?
3. Rich Bishop, Mike Weland, Bob Rose: Recreational Fishing Study
   - log onto website or ftp
   - FCA impacts; lake trout reproduction awaiting steady completion
   - Cotterong one of four FCAs set; current 2 ppm FDF; GOV sent advisory comments recommending 0.2 ppm
   - scoping scenario #1: current FCA only (additional scenarios for more stringent FCA and/or lake trout reproduction injury)
   - new study from Wayne State U may prompt GOV to argue for new FCAs (published in New England J. of Medicine)
   - Bay de Noc (TN using new guidelines already)
   - Stages: ID anglers in potentially affected areas (coastal or Green Bay plus L. Mi. Trop); fishing activity database, focus groups
   - expectations: Fletcher's notes today (Strong); willingness to pay; what people want - value test, online comments
   - John Stoll: UWFB - internal analysis - willing
   - FCA stopped important
   - hold off on Dulac
   - Odanah can be contacted
   - preliminary assessment: needs revision - more realistic - next few weeks
4. QA/QC of files

03OCT96

1. Maureen Katz: Gary Amadio (218-226-8648) wants to speak say w/me here; then with lawyer in D.C.; the supplemental 104(e)'s; expect call from him
2. talk to Joe, Ken, Pat about QA/QC & fish sample switch
   - Pat in charge (field team leader and keeper of custody)
   - Pat's keys in my file safe
   - Joe will move to [illegible] file on the fish when he transferred to Shelley
   - Ken still has questions of chain-of-custody
3. file QA/QC
4. call Randy: ① total message ② EPA meeting schedule; ③ file sorted; ④ recon discussion
   - Frank Rogers or trout egg point ③
5. Shelly Joan
   - Ken Bollenbeck will call; hope to be here on Oct. 14th; (doesn't know how yet) (will call)
   - Jane Cleary 11th of Oct. (Night Rider) (off site)
   - send water list of what we sent for archive
   - index for files (3); FAX the 2
   - EPA meeting: Agenda A: Conf call MON (Ken, me, Shelly, Joan)
6. Maureen Katz: return message; re-run P.H. A & B Howard BATES w/double spaces
7. greet w/Janet Ke, Joe, Cathy, Terry Anderson, Shaun Campbell: FWS FBFO functions; mgt area history of the NRDA, & base NRDA functions generally
8. Ke: ① bio personnel ②

WEEK 7/47

07 OCT 96 — 2h over

1. Ben mail / e-mail
2. sent fibs from Shelly (box #2 missing)
3. call w/ Mark, Doug Beltran, Steve Piernot; NRQA re other split samples for additional thermal measures; re
4. call w/ Shelly for Mark: FAX meeting
5. FAX agenda to Mark @ OEC

08 OCT 96 — 2h over

1. Maureen: NCR box found; 490001 – 499508; to mail and list of missing pages
2. Joel: available 11-3 Easter for D.C. get together? see about flights; charge flight; call Peggy / Maureen; fish @ Chamberlain Lake?
   - prefer separate fish, but ok; just not CK mtg (Ben / Doug / Mark) ok
3. Call: Box #2? no; 052258? Quillback
4. call Ken Bollinger: 16th & 17th OCT fish (left message)
5. mail on uniforms

09 OCT 96 — 5.5h over

1. 847-940-0981 FAX to Ken Bollinger (RRLOG) 15th, 17th
2. Mark: Tillitt: concern about charges (pool)
   - call Beltman and Tillitt: need solution quick
3. switch fibs
4. Ken: A.P. @ SMC; don't talk; ok
5. Doug: conf. call FCR; Mike Bartonova; suggestions to be worked out
6. Ray Ballou

10 OCT 96 — 2.5h early; 3h late to D.C.

- meet w/ Joel @ DOT; need more technical ⇔ legal direct communication; Pathway report meeting on 16th; trout study meeting 15th or 17th; not Rachel/Joe
- meet w/ Susan, Maureen, Elliott, Matt (by phone); technical questions; need more legal ⇔ technical communication
- Shelly: upset that d'm @ DOT; we seem to be technical legal coordinator instead; not legal strategy w/o SOL; ok
- meet w/ Frank: 81.8M approved for Clear Boy by FWS (1st priority; very likely; below or offsite); Shelly upset - need to be careful; nothing inappropriate was done - need more legal / technical interaction; real problem is that Shelly feels discomfort / mistrust; ok; need to pursue 108 order w/ EPA - agreement

11 OCT 96 — 3h over (D.C.)

- Meet w/ Frank
- meet w/ Frank, Shelly, Joan: agenda
- Meet w/ Frank, Shelly, Joan, me (DOI); Linda Hoist Hoppe, Linnea, Jim Habeck, Doug Boxan (EPA); Susan, Matt, Elliott, Ben, Maureen (DOT): see agenda
  - EPA willing to do 108(e) w/ DOI maybe alone, maybe tag BTNP; Dept A/I HI; maybe downtown too
- talk w/ Ken

12 OCT 96 (SAT): 7h
- switch files (& take home)
- dBASE manipulation
- clear mail
- note to Jackie & Janet on ELR subscription (Frank Jr)
- time sheet

WEEK 7/48

13 OCT 96 (SUN) (4h)
- switch files
- update RRLOG files

14 OCT 96 (HOLIDAY: no hours claimed)
- Don Tillitt: will be truculent about changing experiments; I said ① improper to hold meetings w/o PI; ② confident that Tillitt ↔ McDonald discussion will resolve issues; ③ if testifying statistician would testify negatively about design then we (especially lawyers) would not want to waste the $; issue is whether I take trout thiamine level follows normal distribution (Tillitt says no)

15 OCT 96
1. return files to cabinets
2. call Joan Goldfarb: left message
3. call Gary Amendola: left message that 21st fine
4. new RRLOG & RRLOG2
5. email on reading room use
6. NCR file (Kirsten started)
7. WTM staples out
8. Shelly & Joan
- Jane Clocky wants to send paralegal by today & take 2 file cabinets this FRI (returned MON)
- Box #2 only had 1-2 docs w/held (list tomorrow)
- P.H. G1 file ships today
- redacted docs ship today
- keep ADMIN file cabinet closed until arrive (open Th for Bollander & Clocky)
- Shelly & Joan will call this afternoon w/update
9. FAX list of missing pages from NCR to Maureen
10. Mark Nolley
- problems w/H-B; give instructions, then change at last minute, then add conditions etc.
- several H-B staff have called Honeyfield (?); issue of EMS priority from NBS (Hazeltine)
- need conf call w/HB (call Josh w/Mark)
- H-B taking steps to reduce # of H-B contacts & work more closely w/ our cooperators
- updates on EPA meeting & legal/technical coordination
11. Jackie Powell (Dr. Howard): would like appointment for reading room; will call later today
12. Shelly & Joan
- went through docs over phone
- I should handle scheduling w/Jackie Powell
- remove pages from Box 2 files
- update forms & dBASE

200781 - 189 170346

16 OCT 96

1. staples from WTM
2. docs w/ Joan
3. conf. call w/ H-B, Pathway experts, Matt (David Glazer, Ross Norstrom, Steve Diamond, Brian Eddy? (NOAA Steve Eisenreich, Josh Lipton, Doug Beltman, Matt Richmond, David Allen)
4. switch files from Shelly
5. Ken Bollander looked at files; copied info. wg. weaponse letters; also took READROOM.NOT, pub. lit. index; left signed RRLOF2.NOT
6. Joe: check reviewed folders; integrate latest Shelly files
7. new subject index; note for latest files & index
8. Shelly & Joan: returned message

17 OCT 96

1. clear mail & email
2. call Maureen: Doug Dixon from EPA HQ; know why David Mandelbaum called Maureen Katz? no
3. call Cathy to find out who Doug Dixon is
4. NCR pages in from Maureen
5. additional files in from Shelly; w/ Joe
6. Shelly & Joan on phone most of day on doc. review
7. call Gary Amendola about MON: left message

21 OCT 96 WEEK 7/49

1. Gary Amendola: asked questions about files; will come FRI
2. Reg Palber: LKGN
   - $1M lump sum, no 50/50 split, start now; take or leave
   - $10Ks for NRPA restoration
   - will call Shelly
   - if deal: resolve liability for Playboy, JMB, Marcus
3. redo computer w/ Joe (most of day)
4. Josh: FRI call - invite rest of management team; decide lab selection; Frank, legal team; also other hay subject?; today's call? (DOJ, DOI, FWS - Maureen asked Josh to be on; Josh will raise these issues plus why I'm not on call)

22 OCT 96

1. (not yesterday)
2. work on computer w/ Joe
3. note from Ken on LKGN; forward note w/ his to Shelly
4. Joan Goldfarb; need estimate of copy cost for missing box; how to bill FED-EX
   - P.H. 61: 5842 - 5859

23 OCT 96

1. Josh: (Doug) communication issue on trout egg injection study: ① Doug has unconfirmed suspicion that Tillitt running parallel study w/ ours; ② Tillitt et al. have developed internal communications via email: making decisions w/o H-B; Peggy Right working for Tillitt on M.S.

2. call Frank about Tillitt
3. Shelly & Joe
- Cynthia Kirsch WI-AG called Frank
- conf. call tomorrow on 106
- conf. call FRI on late
- document review
4. read. room QA/QC
5. Switch files; update RRLOP

24 OCT 96
1. email to Josh, Joe, Frank, Shelly about off next week
2. Jackie Powell (plus 1) from Mt. Howard to reading room
3. email to Shelly on Amendola meeting
4. call Frank about next week
5. ELR
6. Frank
- get permit from Mark & FAX
- Tillitt issue; Frank & I should visit
- EPA 106: EPA moving forward
- meeting yesterday (Fishrow, JB, JC, Ulrich)
- communications: July 8 case management structure: need legal rep. on bird, fish, mammals, pathway, damages
- Tribes
- budget (in GB discuss)
- trial
- my hats: A.M.; Pathway; Docs
7. email to Ken & Mark for MON 8:00 A.M. meetings/updates
8. call Dan Tillitt: will call back

9. Josh, Doug, William Walsh
- Wellsborough samples: no chain-of-custody & eggs died; want William Walsh to go to Wellsborough on SUN to work w/ Honeyfield
- Doug talked to Honeyfield - seems ok
= also ask about other experiments
10. Dan Tillitt (points to cover)
① William Walsh to Wellsborough & Dale Honeyfield on SUN: purpose chain-of-custody, QA/QC documentation, dedicated attention to the needs of the case
② Frank & I would like to fly to Columbia to discuss the lake trout experiment, the case, and the points raised at the seminar in Twin Cities
③ Have talked to H-B about coordination & have implemented some new rules; is statistical question resolved in your opinion?
④ Need to have some of the same considerations from the RIs: communicate all relevant activities & issues - does not imply asking for permission - just need to be able to arrive on same page -
11. email to Rich, Josh, Doug on biweekly coordination
12. email to Frank on biweekly calls
13. Josh
- updates on Tillitt
- samples split on LK MI (issue w/ Mark)
14. call Frank about tomorrow: left message
15. email to Mark on Honeyfield
16. daily update

25 OCT 96: home (al) Sick Leave 7h

1. ~~XXX~~ – never became law

28-29 OCT 96: home (AL) sick home 6th

WEEK 7/50

31 OCT96 home: annual leave (comp)

04 NOV 96

WEEK 7/51

1. Susan & Frank: sum of first hour; purpose of ~~bill~~ meeting next week; Susan by phone as necessary, continue w/ Brad
2. Susan Campbell: will be doing story on Chapter election; has call into Frank; will look over pkg & give me a call ~~XXXXXXXX~~ FRI w/ any questions
3. clear mail & email & have sign
4. Frank will send Brad comments on $ proposal; I will draft response
5. look at Ken NR comments
6. FOIA request from Van Loshaw; FAX to Sally Frank

05 NOV 96

1. ELR
2. Jane Cleby (Madison): Knight Rider (Ken paralegal from DH. Howard; 4 weeks starting 8th (FRI 3 to Mon morning) (ICCR subcontracting for Joan Miller)
3. call Matt about retroactive liability cases
   - LANDGRAF v. USI FILM PRODUCTS, 114 S. Ct. 1483 (1994)
   - U.S. v. OLIN CORP., No. 95-0526-BH-S, S.D. ALA, MAY 29, 1996 (26 ELR 21...
   - NEVADA EX REL. DEPT. OF TRANS. v. ARCO?, 925 F. SUPP. 691
   - GOULD INC. v. A & M BATTERY & TIRE SERVICE, No. 3 CV-91-1714, M.D. PA. JULY 15, 1996 (26 ELR 10549)
   - U.S. v. ALCAN ALUMINUM CORP., No. 95-7570 (3d CIR. MOTION OF DEF. (AAI))
4. Joan Miller: show spot 2:00 FRI to look over job
5. looked at Jackie's memo on off-site reading room
6. talk w/ Gayle & Janet about reading room & case
7. mail to Sue on minors: ok to pay
8. Charlie Kamp in reading room

06 NOV 96: travel to Columbia, MO

1. talk w/ Brad
2. work
3. talk w/ Joe before bed

07 NOV 96

1. meet w/ Brad
2. meet w/ Brad, Don Tollett, Colbert Chaloner, Susan Schneider (by phone)
   - went over late Target opening
   - went over coordinator issues
   - went over Dana role
   - face to face meeting between Don & Susan (Tollett) in next 3 weeks
3. return to Green Bay

08 NOV 96

1. Debra Berwick (age) of Kilpatrick Law Firm ~~XXXXXX~~ about DH Howard / NRDA documents: returned message
2. Jim Kahrenberg: latest plan of the DOJ call: ask PRPs to do ECA; if not then order them to do BCA; help us meet with the State; State's also more likely PRPs will do; EPA long OU's ~~XXXXXXXX~~

- Gary Arnold to attend on Doug's meeting w/ State: letter to PRL a ECO before then; Gary has some questions; should we be at meeting? no.
- I went over history of Detroit A negotiations, etc, strategy (overall); give PRL chance to talk with contact in time certain; give State chance to take next step in time certain; take next step in time certain
3. Gary Arnold: left message
4. call Chuck: left message
5. Charlie Kemp: will not use seating room - will call to make an appointment
6. mail to Rick Bishop to re-schedule conf call for TUE 2:00p
7. call Jack & Doug: left message at 10:00 a.m.
8. Gary Arnold: met w/ Steve ROMEIN & Matthew
- looking at info. from WORK: Patterson
- discussed Steve, Patterson, Joyce, Cudlor, Kamen
- Vernon worried about potential of contacts due to ESA
- decided ESA not up to speed yet; might wait to make contact to ASAP; Steve will talk to Vernon about trip to meet w/ me, Steve, maybe State folks
- went over risk assessment doc. with Matthew
9. Mark Holly: I'm still coming; may go next week. got 3 F/R; shooting for 12 will settle for 6; splitting of eggs on LKMI - lug said w/ H-B; only got 12 F/R - choice was not split & WORK to all-or-split and both work & FWS get sample; Frank supported - more F from Charlotte, Lela: probably [illegible] Bay

JOHN FITZPATRICK 905-827-7712 HOME
905 28-388K WORK

but local fish manager may be unwilling to give 12 F/R eggs: probably only 6
10. [illegible] Mark Don Tillitt Doug Bittner, Michael Anderson; Don; 75 (unit?) treatment to high - not usable (fed by on only one fish) need 3-5 more fish; H-B should not have change from 10 - especially not untastefully
11. call [illegible] w/ Mark: left message
Thursday: more explicit w/ Doug Mark to discuss strategies for field apparatus
(2) Meet w/ Doug Mark to discuss strategies for field apparatus
(3) Provide field assistance (William)
(4) Provide documentation of what occurs (Doug)
(5) Provide [illegible] peer review of analysis, discussions, conclusions, papers, reports (various)
(6) Assist in preparation of report [illegible]
- off limits: modification of design, analysis, work; lead authorship; in-house strategy sessions or apparatus
- other areas or specific fish apparatus may be H-B stand-alone
12. look at LKGN POLREP; call Brad w/ correct FAX #
13. Chuck & Mark: fish issue; Tillitt in charge, point; limit H-B's role as appropriate
14. Don Tillitt: return message
15. call Sue Kozak
- payment based on performance of eggs contract
- modification of line item pounds
- line item 1 original phase II contract ($8K; H-B
- need to balance ($18K total for line item)
16. call Jack: left [illegible] message about Tillitt work

17. talk to Don Tillitt
- need to define H-B role more clearly
- need to prevent cross-purposes
- need to move forward
18. reminders to Frank & Doug on update calls

12 NOV 96 8312 NCA (not cost recoverable): Th WEEK 7/52
1. Rich Bishop: call tomorrow @ 10:00 am
2. call Shelly: returned message
3. call Josh: left message
- all decisions on lake trout study are Don's
- H-B should make oral suggestions directly to Don
- all work products & written docs should come directly to FWS (Frank, me)
- if H-B has a concern w/ Don's approach (even small concern), FWS wants to know about it; if FWS agrees, FWS will work w/ Don on direct modifications
- FWS expects continued on-scene expertise in field, continued QA/QC documentation, continued expert advice: but these services are for FWS (direct them there).
- any unilateral mods by H-B w/o Don's or FWS's approval will affect funding
4. call NWF - Cameron Davis: left message
5. Josh & Doug: (Doug: overstepped bounds) covered; pathway doc on approach in day or two; Battelle looks good, but checking congressional rep.; Don's lab BZX - not unique qualified - but can handle if two labs (a few issues to work out); updates on EPA, funding schedule, files, attorney assignments, [illegible]

- task for next year: risk assessment on other pollutants in assessment area using existing data
6. Janet: John Koss no longer at MITW (personnel issue apparently)
7. Shelly: $1.8M - $17K after DAS; don't know timing yet - probably just sign-off; Q&B: want copies back
- meeting w/ Hartwig; due to Fisherow/Ulrich/Hartwig meeting (tomorrow); coordination issue SOL/FWS
- EPA updates (same info. both sides)
- Tillitt updates (meeting and afterwards)
- other updates
- Van Lieshout FOIA; reading room or copies?
8. call Frank: detailed message: H-B; RO/legal update needed
9. read LKFN POLREP; call Matt: left message
10. files back: look good

13 NOV 96
1. Rich Bishop, Mike Welsh
- my updates
- Mike: creel census data for GB thru '94 ('95 soon) from '86; in computer - can assess fish effort/catch by species, county, port of origin; can the finish strategic planning doc. (what are prospects of finding large damage & how to proceed); will also do LK MI side; also counties by Bay for focus groups (already have Brown Co.; still need others: Marinette Co. better than Oconto for E.L. salmonid fisherman; random sample of angles from Marinette now in database; also Door Co.

* bring in legal team for next call on question of testifying experts vs. consulting expert

- Experts: Hutchison C.V. in (Hmong) - need contract for couple weeks of time; Vic Odonkwizz (Conjoint Analysis)
- Stoll: internal reviewer;
- Bob Rowe talked to Dillman - don't know survey state yet; Pat West mentioned another guy - still trying to get hold of him
- strategy doc. draft in about 2 wks
- next call early DEC early in week

2. draft memo to Joel & Dan on lake trout
3. Cam Davis
- reading room (me)
- A.P. comments (him): NOV 27 or so until comment period close
4. email lake trout cond. note & draft memo to Frank
5. note to Frank on Case Manager → assessment manager coordinator
6. note to Frank, Janet, Jackie on off-site reading room
7. ELR
8. read Menominee treaty rights case dismissal

14 NOV 96

1. talks w/ Frank about communication: conf. call today w/ Frank & Shelly
- disagreement over how to structure case management → assessment management communication;
- my position: Frank should ① explain rationale for omitting communication of given natures; ② I should have benefit of knowing (& being able to prove) that I am out of certain loops; ③ Frank should take the time to brief me every couple of weeks on the major events on RO & legal team fronts; ④ [illegible] the assessment are related to the options available to RO managers - I have a role in explaining the limits of options which emerge from the facts/data/analysis of assessment
- Frank's position: ① certain topics are merely distractions from my work on the assessment; ② I do not need to know

2. Frank & Shelly & Joe
- meeting yesterday (came to learn): Bill & John C. have been talking to folks & have ideas for the future
- had heard about EPA enforcement & NRDA filing in near future
- Bill/J.C. idea: wants to work w/ PRPs; need alternatives other than claim for sum certain
- recognizing that must protect case (filing)
- window of opportunity to work together on Linkmann: use tolling agreement for couple of months to see if PRPs willing
- 60 day notice of intent to file
- wants short list of subjects (Nellen, Sumi, J.C.); not an enforceable agreement - just concepts
- use concepts to evolve an MOU/MOA w/ tolling agreement for S.O.L./filing
- NRDA proceeds as before
- MOU by 31 JAN, the notice letter goes 31 JAN
- settlement discussions during tolling agreement; file if unfruitful
- State should be player in this
- start w/ Deposit N as testing ground
- hold off on request for EA for 1 month

- legal team availability for NRDA affected? only for couple of weeks in JAN
- SOL efforts: 60 day notice letter (w/ DOJ); maybe segregate the legal team; referral to DOJ (no matter what) in JAN; paragraph on 60-day notice letter w/ concept paper transmittal letter; WI-AG contacts in JAN
- Hartwig/Adamkus conf. call yesterday morning
3. Shelly needs cites for SOL; Joe will work on that
- went over w/ Joe
- Shelly will call Joe tomorrow
- I can wade in next week
4. ELR
5. meet w/ Mark & Ken (instead of MON)
- attorney contacts directly soon will put them directly into appropriate loops
- Mark & Ken will need to keep their loops going; count on Frank and I to provide general updates; they must pull us in when issues arise (& updates generally)
- copy Mark on paper RE fish
- talked about LK trust; prospects poor - not going back this year
- Ken: need real data to support any risk assessments (e.g. bird case)
6. Jackie: haven't gotten decision from Frank (just note); we can look at room any time

18 NOV 96 8312 NCA: 4h WEEK 8/02

1. Jackie: Frank wants Joe & I to code all work to 8312 - no funds available 1130; from now on I will notate in this notebook # of 8312 hours not directly cost recoverable, since no longer captured in time sheet
2. call Matt about 26 NOV 96 Boulder meeting: left detailed message
3. read SETAC info from Chris Custer
4. read Reality of U.S. Role as Trustee for Indians by Priscilla Wilfahrt
5. leave slip for WEP before T. Day
6. look at Joe's cites for Shelly
- ask Frank for Horvath citation
7. Go thru NRDA files (recent - unstamped)
- Hanna comments?
- Van Riesbout FOIA response?
- H-B/Tillitt memo or letter?
- reading room docs?
- personal files?
- should we budget ~$5K for transcripts
- budget meeting when? 1st or 2nd week DEC; where?
- PRP FAX note? - slip of ATTY assignments?
8. activity reporting for Janet
9. ELR: a circuit court rejects U.S. v. Olin Corp.; US appeal it also
10. Joe on NCR
11. H-B/Tillitt memo (sign, send, FAX, email)

19 NOV 96

1. Matt: don't know specifics; H-B asked him to come out to fill him in; probably ok for me to connect by phone
2. updates (DOJ/EPA/RO meeting); (NRDA work); tolling agreement; etc.
3. clear reading
4. env. disp. handbook
5. updates for Janet (extensive)
6. files back (2nd 3rd) - check; ok
7. Frank: need NRDA brief statement for DC/EOP meeting; Frank will add "resolution track" - update briefing statement; FAX + email to Frank
8. Maureen: Gary Amendola was there 2 days; will follow up w/me on P.H.Gl. docs; Maureen agrees w/ Madison meeting w/ Steve; she will call Rich Bishop about experts + will join next call; assignments made - memo to memorialize; heard about EOP contact predicts stepped up PRP efforts
9. Brookings: New Congress: 12/12/96, 01/24/97, 02/27/97
10. ELR

20 NOV 96 (home)

1. API into dBASE; files in good shape post-copying
2. TSP calculations
3. look thru my old emails

414-759-1033

21 NOV 96

1. Joe talked to: Chuck Rasman (Marketplace Magazine, Kaukauna); will send FOIA; writing article; wants to talk to people
   Jeff DeWert (Environet) - sending FOIA; has A.P.
2. Mary Morton: needs email address
3. Susan Campbell: returned message
4. Mike Lokensgard: talked to Susan Campbell; told her to read the A.P.
5. email to Frank + Shelly on DeWert FOIA; FAX also
6. email to Ken on bird attorney + bird case; to Mark on Trish
7. Susan Campbell: Saturday story
   - 1½ hour conversation
   - Process: history (PAS, PRP notices, A.P., Report next)
   - Process: future: Collect the quintessentially relevant data ASAP; draw conclusions about what must be done to fix site + make public whole; attempt to reach agreement on restoration; ability to reach agreement + ability to collect the data will determine the type + timing of outcome; movement of sediments makes this urgent; S.O.L.? Not expert, not able to comment; CERCLA 113 addresses - can read + draw own conclusions; if there are any external deadlines, passage of time brings us closer;
   - Size of area too large?; no one has basis to state a size - pure speculation; we will follow pathways + impurities where they lead; public has right to know the facts, we have obligation to find out; would be arbitrary to set a boundary at this time; size could effect magnitude + difficulty of agreeing - but actual resolution is local matter

- FRC interpose? has not in fact (1992); we are supporting (sought to be admitted as observers) next mtg. to assist of all parties: FRC, RAP, WDNR, EPA, NRDA, etc.; different foci will result in mutually useable data for rational decision-making; everyone agrees that; urgency of moving ~~ahead~~ ~~makes~~ slow down or stop unacceptable; NRDAs ~~don't~~ ~~have~~ to have bad to true, not much litigation; if contentious if will be leaner or disagreement over how much effort needed - regardless of forum; allocation ~~of~~ will be necessary for any actor responsibility will be necessary for any actor
- Punitive? Statute forbids & we're not interested; want to figure out how to make public whole ~~then~~ try to track against or implicate; public has right to be made whole - not a question of personal, responsible parties vs. not responsible - what should pay?
- Bankruptcy? NRDA is legitimate analysis of what needed to restore; legal question of how to achieve if contentious; U.S. does not bankrupt anyone w/ compensatory claims - know of no examples (I know examples of when U.S. has refused)
- Big $ only way to resolve? Statute requires all $ + actions for site (no treaty) (except emerg. cost) don't know magnitude until ~~RD~~ data; engineering exercise (a la FRC) is pure speculation: could be larger or smaller (happy examples); distribution ~~of~~ what actor has precedent (Metro - Dan ~~?~~ could) size range historically?: NOAA, DOI, RJ

have specifics; largest Exxon but don't know split; order of $1B total for Texas; smallest Gulf Coast cases ~$10K; N.B. Harbor ~$100M; BN $140K
- other cases folks?: NBH; Montana; Cuba, Kelly
- lots of details on process & how data needed to figure out appropriate action (incl. other non-NRDA data)
- avoid legal strategy & state-specific data collection efforts; counsel vs. quotes re same (or will not be willing or allowed to talk again)
- closing on A.I. consortia? 25 NOV
- roles: ~~Gale~~ Joe: Assess. Manager: coordinate data collection; Frank is case manager: coordinate
8. Send $ to ~~Gale~~ Joe; $10-20K available for Hempfield? probably - I'll tell Frank too
9. Don Hess: letter/message
10. Daily update w/ Campbell discussion summary

22 NOV 96
1. email to Glen Wade on standing the Lake Mi Mass Balance Tech. meeting (10-12 DEC, L. MI room)
2. call Jim Habeby: left message to call MON or TUE
3. get bills for Roy
4. call Josh & Doug: left message
5. email to Rick Bishop for conf. call 1st week DEC.
6. draft letter of response for De Wael letter
7. AII (Joe NKA)

1. [illegible]

25 NOV 96 sick 7h NCR: 25h WEEK 8/02

1. 2h on email & press summary for Frank

26 NOV 96

1. Don Henne: spoke to WI RRT rep.; EPA involvement?
   - extensive updates
   - Tell get back to Brenda Hagman w/ general & tell her to seek info thru WDNR/EPA channels
2. emails
3. Joe to get VCR tapes off tv news stories
4. Joe to make R.R. appointments for De Wert & Van Lieshout
5. H-B pathway conf. call/meeting: talk to Doug
   - Matt late; will call
   - heads up on press & RO plan which could lead to tolling or notice letters
6. call Frank about conf. call on pathway, response to WDNR letter, conversation later today
7. Glenn Warren: would rather that I not attend, but can't stop me
   - can raise w/ management or not (up to me)
8. Tom Custer: good SEPAC meeting; [illegible] assumptions data; ∴ can pay (tell Jackie)
   - updates - release of T.S.W. data [illegible] (pathway conf. call)
9. Matt, Doug, Josh, Dave Cacaela, Shelly, Dave, Joe (see agenda)
   - paper process (All)
   - PCB chemistry in environment (Doug)

10. call Linda Holst about Glenn Warren: left detailed message also stories & WDNR letter
11. call Frank
    - Glenn Warren situation: go
    - P.R. situation;
    - will meet w/ J.C. today
    - dates from J.C.: 2:15 today: call w/ Nelle & Sunil (3 page concept paper - Frank has); By 05 DEC: inner circle review (Bill, J.C., Rogers, PRPs, Fisherow); then next circle out w/ Jamie & Trilies & DOI SEC; then Congressionals; Dec 16-20: major planning session w/ Meyer, Adamkus, PRPs, etc.: sign on to paper; maybe press release then (on conceptual agreement); D.C. briefing (PRPs, State, Fish invited)
    - call from Mark Holey; Honeyfield; need verification of what for specifically, Tillit's view, low fits, & mechanisms for payment; need my recommendation.
    - updates
12. Jim Hahnenberg: left message
13. leave slips; email on last pay period
14. language for response to Meyer letter; email to Frank
15. email to Mark & Dan on Honeyfield
16. email to Jackie on paying Diane Henshel
17. Jim Hahnenberg
    - Callie? taking over for Linda Holst
    - public meetings
    - send WDNR letter
    - updates
18. daily update

27 NOV 96 9h comp time off 28 NOV 96 9h holiday

02 DEC 96 NCR: 2h WEEK 8/03

1. look at Press Gazette opinion
2. note from Linda: ok to attend Mass Balance meeting; she talked to Callie Bolattino & Paul Horvatin
3. looked at note from Tillitt
4. email & mail clear
5. Reg Pallesen: Dick Peddicord last WED - having a person look over Brad's shoulder; Brad says going well up to water's edge; cold may slow stabilization process, so far so good; talked to DOJ about $1M cash out w/ some for restoration: have had some bad experience w/ cash out; may do mini-referral & go for judicial consent decree; Leslie Lehnert assigned slow response; Hahn anxious; have not heard from Shelly; hoping DOJ won't try to re-negotiate
6. Meet w/ Mark & Kay (~2 hours)
- take that experiment review & update
- cormorant work to be done
- updates on RO & EPA & legal team & press
7. email to Frank & Joan on press
8. Frank: draft of concept paper (not allowed to distribute); FAXed 2 notes on it; talked to Maureen Katz; has definitions (remediation, restoration, compensation) - more restrictive than statute/regs (J.C. says Keller says right out of regs)
- Maureen had 1st lawyers only call; they want conf. call w/ Josh on products from 5 modules - I should be on
- comments on A.P.; he'll send originals - Bates stamp - distribute
9. call Shelly about referral and concept paper: left message
10. call Susan about referral and concept paper: left message
11. call Josh about concept paper: left message
- he's available all this week to help
12. talk to Shelly about referral and concept paper

03 DEC 96

1. daily update
2. email to Frank and Joan on P.R.
3. Maureen
- call Gary Amendola about this week
- legal team call/meeting on TUE 9:00 Central from Chicago
- review of concept paper
4. call Gary Amendola: left message
5. Susan
- concept paper heads up
- need fish call (Susan, Joan, Josh, me): 12th or 16th
- send Tillitt confidential agreement and IAG
- 106 strategy
- Lake Michigan Mass Balance meeting
6. call Josh
- conf. call 10th; conf. call 12th or 16th (fish) call Susan
- Lake Michigan mass balance meeting
- formal comments on concept paper
7. uniform form to Fanna
8. memo to Josh for C.P. analysis
9. email to Frank on C.P.
10. draft concept paper analysis memo

04 DEC 96

1. Roger Grimes
- 8-10 EPA documents to me, Shelly, Frank - to know how EPA handles P.R.
- living up conf. room 9-11 am on 10th (6th floor); room 611 (Tom Alcamo) - ask receptionist for phone if necessary
- Concept Paper review

2. Josh Lipton: disk corrupted: trying to recover; send final if retrieved, send draft & discuss the finalize later if ~~can't~~ necessary; send outline & discuss & finalize if can't retrieve

3. Emily? (Sierra Club): S.O.L. March? - WDNR SEC said so in paper - don't know his basis; many interpretations, no case law, moving toward S.O.L. if one exists - no position from Feds has been stated
- they didn't like article in paper - will be writing
- I said would be good for wider audience to wade in

4. Susan: 2:30 Eastern on 16th

5. finish memo to Frank on concept paper; FAX w/ Josh's to Pete Eschwich, Shelly Hall, Maureen Katz, Josh Lipton
- also send to Grimes / Hahnenberg (reg. mail)

6. Pete E.: did I FAX the C.P. earlier? - he'd like to see it too
- I will FAX my FAX (done)
- disagrees w/ certain parts of the H-B memo (future damages; OPA reg rel...)

7. Note to Hahnenberg & Grimes on C.P.

8. daily update

05 DEC 96

1. note to Hahnenberg & Grimes via regular mail
2. briefing materials for Frank: emailed & FAXed
3. call Frank: left detailed message
- got comments: stamping today, will distribute ASAP
- bring them to briefing as prop.
- briefing materials sent
- call to change plan
4. leave slips to Jackie for 10-28 / 10-31
5. forward Hutchison C.V. to Maureen
6. Mike Welsh: message
7. ELR update
8. call Gary Amendola: left message about WI meeting per Katy
9. call Tom Erdman: no answer
10. Rich Bishop: trying to get statistics together - will be next week before finished
11. Gary Amendola: 16th / 17th, G.B. / Madison: meet w/ Steuer on 17th (drive down in morning)
12. call & email Jeff Steuer about meeting on 17th (left message)
13. email to Frank, Mark, Josh, Bob, Susan, Maureen, Shelly, and fish vs econ. work

— over —

06 FEB 98

1. Jeff Sewe: 17th fine
2. talk w/ Mark Holt + Don Tillitt
   - like tight efficient update
   - possibility for additional work (grading on site)
3. talk w/ Mike about J.C. + C.P.
4. call Jon Waltzberg about C.P. analysis; left message
5. call Doug Dalton: left message (detailed)
   - Lake Michigan Mass Balance Tech. meeting
   - progress or lake chair?
   - progress on pathway document?
6. Frank + Rich: no conf. call today
7. call Annabel + Steve to try for Green Bay 17th
8. note on Atl. comments to Marcia, Shelly, Frank, Jack
   - copy comments
   - to Joe for transmittal

09 FEB 98 NCR 10A WEEK 8/04

1. call Frank (not there - message), Shelly (not there, no message), Marcia about C.P.
   - apparently we spoke; Bob + Pete's comments; apparently T.C. to respond to final last FRI, supposed to be something today
2. clear mail
3. Frank
   - A.P. comments: download + timeline, strategy + get busy - in from Shelly
   - Wonderful thermite analysis: send necessary papers (quality)
   - analytical lab (Baltimore has been calling) J. Bohon

1. send Joe's fish list to Jack.
   - before I: need details of sample + analysis
   - Joan Duffield not w/ Bill + T.L.: Joan will probably call
   - RCOP to F.R.; need to spell "Summit"; figure out how subs for both, plus P.R.
   - MOU development + billing agreement; talk to Shelly
4. travel to Chicago

10 FEB 98 (Chicago)

1. Room 611 (312-886-0824) (Roger Greene → Tom Alcamo)
   Conf. call on legal/technical (Marcia, Frank, Jack, Susan, Shelly, Dawn, Joan)
   - how to coordinate legal team w/ technical team (Jack)
     1° fish + sediment
     2° pathway, limits, analytical chem., QA/QC, status
     3° mammals
   - weekly legal conf. call for consistent strategy and approach
   - strategy for viewing A.P. comments; RCOP process + strategy
   - budget + overall strategy (Summit 2: FEB?)
   - fish meeting in D.C. 1/15/97
   - econ. meeting in D.C.
   - C.P. not finalized: FAX today; FRI target
   - Summit 2; D.C. 1/16-17/97 (EPA?; status?; probably no)
2. Lake Michigan Mass Balance Tech. Meeting
   - Marcia Reid: QC; Dale Pyatt: mutagens + comptonol
     Rene Moreira Hg, Jenny Taylor lead off;
   - Atmospheric lunch and 2 hour
11 FEB 98: on train 12 FEB 98 travel to Green Bay

WEEK 8/05

16 DEC 96

1. return message to Jim Rothenberg
2. 9 a.m. meeting; conf. call Thur 19th at Chicago on year package
3. meet w/ Gary Arenda & Jeff Bauer (release date)
4. Mike Wolak: document from Rose Law; Thur Conf. call
5. Fish conf. call (Doug, Mike, Josh, Susan, Gary, Steve)
6. Pete Howe: will send more categories / reinforcement info.
7. Julie Lebaron: LKBH: $50-100K ? yes
8. Jackie Powell to RR
9. leave slip, time sheet, travel voucher

17 DEC 96

1. Julie Walpert (Newsletter: Bloomberg Policy Report; 313-769-7788); Lew forwarded to RO
2. Shelly: 3:00 E Thur 19th Iowa
   - MAY: FRI Madison MAY meeting; Lewis from Chicago Wash Intl AP: Wells et al; possibly Steiber; Mauro
   - Shelly not invited; may show up anyway
   - Meeting in D.C.: Wilson, O'Connor, Wells there; no Chicago substantive
   - Thursday
3. Roger Stone: appear to C.L.; urgency of FCB movement
   - call Doug Critchett: 280 Kg FCB yes
   - appreciate C.L. analysis; neighborhood page
   - Roger primary drafter
4. Josh
   - 1 year time frame can not be met.
   - "distorted release" problematic

1. RA
1. FAX letter to Campbell (GR-201-5754)
5. read C.L. & cover memo Crew; note to Steve, Lodewyck, Bauer, Stone, & Nelson
6. Dale Peterson
   - have lots of data - previous model runs may be counter-productive
   - months ago: final model results presented to inner group of FRC; they asked for all stuff presented; haven't gone yet; polishing prepared to be done in January; finely release; internal briefing; then FRC briefing - early Feb. get together; may need model results for 100 year - significant decrease in rate of natural detection in redwoods & mature (slower recovery) [Jan 22nd]
7. call Jo Brennan: detailed message about wanting to attend Jan 22 briefing
8. call Roger Stone about 22 JAN 96
9. call Joel about 22nd
10. call Gary Arenda about 22nd
11. call Brent about 22nd
12. call Maureen about 22nd
13. Susan Campbell
    431-8379 FAX
    - another story more from memo. said
14. Josh (from car)
    - Tribal: want to know about $; need w/ them on boat bay for the lucs; Cadwick: sent letter coming soon; Ted Cox Mannion for contact
15. mail to Frank & Jon or Lou-Lynette

16. daily update
17. concept paper note to Gilt, Lakengard, Greene, Henne, Nelson
18. FAX WFEO FRD letters to Susan Campbell at her request

18 DEC 96
1. Maureen: WDNR briefing; files; Summitt
2. Josh: WDNR briefing
3. Maureen: POTWs as PRPs? PCBs from mills; no pretreatment requirements until 1985; hysteria; many not want to send; yes
4. Jim Hahnenberg: 22 JAN 96 meeting
- updates
- Concept Paper; "appropriate" vs "protective"; ~~[illegible]~~ 50-year 20M
5. Julie Halpert: returned message
6. review admin file
7. NCR & APT file summaries to Maureen
8. additional C.P. letters to Susan Campbell
9. Kevin memo to J.C. on C.P.
10. memo to Kreis ~~[illegible]~~ ~~[illegible]~~ data
11. letter to Mercurio on briefing

19 DEC 96
1. letters to Susan Campbell
2. Julie Halpert (Water Policy Report)
- went over whole NRDA (no quotes)
3. Conf. call on A.P. Comments (Maureen, Shelly, Frank, Josh, David)

1. ~~[illegible]~~ prepare instructions for H-B (Shelly review) (also Hector on birds)

- Joan going to meeting tomorrow
- vaquecas
- trusteeship
- FRC
- public repository
- eliminate LK MI
- baseline, conf. of exposure, max. concentration biased, CVM not valid, etc. - standard PRP responses
- don't consider other contaminants
- biomarkers
- no proof of injury
- S.O.L.
- page 3 B&D: admission of injury to fish & sediments
- pest species
- other contaminants; other factors
- absence of continuing releases; pre-CERCLA releases
- Tribal trusteeship
- Concede fish consumption advisory as injury
- population effects
- egg injection unrealistic; don't represent water column - address in supplement
- catal & release from advisories good for fish populations
- QAPP: vague & outdated - supplement can add some detail
- need RCDP
* - no A.P. changes needed; supplements in future (FRN) pursuant to current A.P.; responsiveness summary for Report of Assessment (draft & privileged for now; finalize later); maybe some P.R. does as well)

4. Frank: update
5. Susan Campbell: MOU & C.P. discussion; gave Joan Goldfarb & Bill Hartwig #s
6. Maureen, Bob Rowe, David Allen, Frank Horvath, Shelly Hall, Joan Goldfarb: conf. call
7. Julie Halpert: other NRDA sites?
8. Doug Beltman
- Steve Diamond: Post-Doc at Duluth EPA lab
- Doug can't make 22 JAN meeting; David Glazer instead

20 DEC 96
1. draft response to GOV letter; email to Frank
2. Julie Halpert: nationally important? yes (home: 313-995-0920)
3. FAX press gazette story to Joan & Frank; email as well
4. email: daily update → Joan → Bill → me (& others); all press contacts to Joan & Bill; responded w/ advice on coming up to speed & upcoming story
5. Maureen/Frank: confidentiality of Concept Paper: Paper Mills had "heart attack" about release; get back & stamp "confidential" if possible - can't press gazette
- Outline; NCR/Blickman 1st draft of MOU; get from Shelly
- Frank will call tonight or tomorrow to debrief

NCR: 25h

WEEK 8/06

23 DEC 96
1. Linda Holst
- lots of updates both ways
2. Maureen Katz
- updates on meeting
- NOAA
- JC
- WDNR/PRPs
- info. (historical: Public coordination; negotiation; KWS activities at site)
- she will send outline
3. compile all FED ↔ PRP/MI negotiation documentation; send to Joan, Frank, John Lindsay, Roger Grimes & Maureen

24 DEC - 01 JAN 97: off (holiday, comp., & A.L.)

WEEK 8/07

NCR: 30h

02 JAN 97
1. talk w/ Ken: need to get Hector engaged on bird case; need to address P.G. "legal at time" utterances
2. clear mail
3. clear email
4. read recent admin files
5. chronology & KWS activities memo to Maureen
6. Tony Scott: send summary: done
7. Jim Hahnenberg: returned message: will send this week's letter
8. Tom Jacobs: returned message
9. Julie Moir: Bill Hartwig looking for GOV-SEC letter
- sent my stuff up