

Summary of David Allen's daily notes from March 1992 through May 2001, and key correspondence 1986-2001.

11 Feb 1986: Letter from Sec. Besadny to FWS inviting participation in Green Bay Remedial Action Plan.

11 Mar 1986: DNR letter to FWS inviting participation on committees of Green Bay Remedial Action Plan.

26 Jan 1989: Sec. Besadny appointment of DNR natural resource damage assessment coordinator.

14 Nov 1989: Director Wible memo to Baker discussing merit of Fox River NRDA after discussions with FWS.

08 Feb 1990: DNR memo to Director Wible with natural resource damage assessment workload planning.

09 Nov 1990: DNR memo outlining process for Fox River natural resource damage assessment.

30 Dec 1990: DNR memo about meeting for Fox River natural resource damage assessment.

11 Mar 1991: DNR position description for natural resource damage assessment investigation position.

14 Aug 1991: EPA phone memo about conversation with DNR about action for PCBs in Fox River sediments.

23 Aug 1991: DNR memo that the Bureau of Water Resources Management will lead Fox River natural resource damage assessment.

01 Sep 1991: DNR announcement of natural resource damage assessment investigation position.

05 Sep 1991: Director Wible memo to Baker about DOI training for natural resource damage assessment.

12 Nov 1991: DOI attendance list for DNR training on natural resource damage assessment.

09 Mar 1992: phone (David Allen, Ken Stromborg) setting up meeting between FWS and DNR for 27 Mar or 08 Apr 1992 regarding natural resource damage assessment. Contacts: Bonnie Eleder RE Sheboygan; Kevin Adler (EPA) RE La Crosse; Tom Eggert; Linda Martin (EPA) RE Superfund information system (CERCLIS).

23 Mar 1992: orientation meeting (David Allen, Ken Stromborg, Janet Smith) DNR may need considerable pressure to really cooperate w/FWS; FWS may be successful as “bad cop” waiting in wings to force potentially responsible parties to deal with trustees.

26 Mar 1992: meeting Madison, WI (David Allen, Ken Stromborg Pete Jopke, Dale Patterson) Green Bay natural resource damage assessment: have list of National Pollutant Discharge Elimination System dischargers on Fox River 1972 - 1991 (spreadsheet); Fort Howard and P.H. Glatfelter are the two biggest; Jeff Steuer (U.S. Forest Service) model comparison; fish data pretty good and complete for 1970s to present; looking at other PCB sites in U.S.; preassessment screen on Lower Fox River would lead to legal involvement; looking at economics methodologies; writing up conclusions of 2-year project; need interagency coordination (memorandum of understanding first, maybe memorandum of agreement); Pete Jopke has case law files.

27 Mar 1992: meeting Madison, WI (David Allen, Cindy Schroeder of FWS, Law Enforcement Division) RE Lake Geneva goose die-off (Office of the Solicitor and DOJ on board); natural resource damage assessment discussion (better than Migratory Bird Treaty Act) to fix; need first trial-run natural resource damage assessment in WI). Meeting Madison, WI (FWS, Health Lab; David Allen, Ken Stromborg, John Blankenship, Janet Smith) enough info for preassessment screen and determination? Yes. For win? Don't know. \$50k budget for whole natural resource damage assessment program in FWS, Region 3. Need to involve EPA, U.S. Army Corps of Engineers, NOAA. Tie to Little Lake Buttes des Morts project.

30 Mar 1992: meeting Twin Cities (David Allen, Frank Horvath, Ken Stromborg) Green Bay natural resource damage assessment discussion after Frank Horvath talks to TJ Miller.

31 Mar 1992: meeting Twin Cities (David Allen, Frank Horvath, Ken Stromborg) John Blankenship said he told DNR that FWS is moving forward with Green Bay natural resource damage assessment; briefing of FWS Director in a week may be off; met with 4 DNR staffers (Ken Stromborg guesses: Lee Liebenstein, Tom Scheffer, Dale Patterson, Pete Jopke). Frank Horvath to work on memorandum of understanding through Janet Smith; Ken Stromborg to preserve good relationship with DNR; David Allen to analyze National Pollutant Discharge Elimination System history on Fox River. Continue with Green Bay Remedial Action Plan but natural resource damage assessment initiation parallel. Draft memorandum of understanding presented to CD Besadny within 3 months; components of natural resource damage assessment to follow (preassessment screen and determination, potentially responsible party notices, assessment plan, assessment, post assessment). Must make sure DNR sees connection between Little Lake Buttes des Morts project and natural resource damage assessment. Frank Horvath wants to put DOJ in position that they must proceed.

01 Apr 1992: meeting Twin Cities (David Allen, Frank Horvath, John Blankenship) CD Besadny not interested in natural resource damage assessment but agreed to meet anyway (May target date). Janet Smith displeased at John Blankenship for bringing up natural resource damage assessment with DNR at Coastal America meeting.

07 Apr 1992: meeting (Ken Stromborg, David Allen) Ken Stromborg: Matt Richmond is the DOJ contact (contact made via Lake Geneva and Cindy Schroeder).

23-24 Apr 1992: Chicago, IL (David Allen) copy Fox River National Pollutant Discharge Elimination System files from EPA, Region 5.

27 Apr 1992: DNR memo with analysis of DNR use of natural resource damage assessment authorities.

29 Apr 1992: Green Bay Remedial Action Plan meeting at Fort Howard David Allen technical discussions RE sediment (measurements, modeling, removal technologies, etc.).

04 May 1992: phone (David Allen, Ken Stromborg, John Blankenship, Janet Smith, TJ Miller) need to set agenda for meeting with DNR. Memorandum of understanding may need to exclude Fox River/Green Bay (need to resolve - already been 2.5 years of efforts to coordinate). FWS can be "bad guys" in public of DNR wants. Can decide together whether and how to proceed. Wisconsin will want to stay voluntary (Little Lake Buttes des Morts project). Paper mills will not volunteer money. Use Remedial Action Plan Stage 1 for goals. FWS can move forward without Wisconsin if needed. Need letters from FWS, Region 3, Regional Director to co-trustees, then ready for preassessment screen and determination. Agenda: memorandum of understanding, as with other states in FWS, Region 3. Could look at Waukegan as a first place to work together.

07 May 1992: Madison, WI meeting (David Allen, Pete Jopke); copy Fox River/Green Bay files.

11 May 1992: Madison, WI meeting (David Allen, Ken Stromborg, Janet Smith, Tim Doelger, Doug ?, Dave Hildreth of DNR, Bill Selbig of DNR, Dennis Wiesenthal of DNR) Sarah Hurley of DNR interested in tree swallow study. No written WI policy on natural resource damage assessment, but definite policy to build coalition. Feds in closet for WI if they want. Cooperation will only work if threat is realistic. Purpose of Madison meeting is cooperation plus potential initiatives: steering committee will set agenda. Secretary Besadny interested in cooperation first; David Allen: preferable to have cooperation and regulatory process at once. Regulated community will want shields w/o admissions. FWS will start soon. DNR unlikely to covenant not to sue for any sum. Paper industry wants to remove fish advisories. natural resource damage assessment provides basis for settlement. If insufficient \$ to meet standard (e.g., fish advisory), delay restoration rather than change standard. Can FWS join coalition (David Allen: said only if represent public for resource). Bob Behrens (DNR) will check about National Pollutant Discharge Elimination System files in district office.

13 May 1992: phone (David Allen, Frank Horvath) discussion about federally permitted releases.

14 May 1992: Madison, WI meeting (David Allen, Frank Horvath, Ken Stromborg, John Blankenship, Janet Smith) need letters to federal Congressional delegation RE natural resource damage assessment. Official cooperation more important than informal cooperation - move forward with natural resource damage assessment either way. How much injury documentation needed compared with current

info? How much info needed to determine when costs become grossly disproportionate to value? Need to brief Marvin Moriarty (FWS Deputy Regional Director) and FWS regional office staff on natural resource damage assessment, including project examples. Green Bay can be showcase because of data availability; clear case parameters; FWS is prepared. Green Bay Remedial Action Plan discussion. Green Bay Mass Balance Study discussion. Meeting (David Allen, Ken Stromborg, Frank Horvath, CD Besadny, Lyman Wible, Bruce Baker, John Blankenship, Janet Smith). Besadny: WI is the lead; FWS can ask to be a partner/cooperator; State is the lead; try for cooperation instead of legal; coalition; how to pay short of legal. Fort Howard said willing to bring along other paper companies. State willing to contribute \$. EPA wants law suits; DNR said no; takes too long. Baker: State has \$2.5 million for demonstration projects; looking for dischargers' equipment to help destroy contaminants; want to see results of demonstration project first, see who pays later; \$ from State, NOAA, EPA may be available; have not exhausted cooperation yet; not at point that have run out of things to figure out. Wible: DNR has stronger levers than FWS, including natural resource damage assessment. Want total cleanup, including heavy metals that may be masked. Blankenship: DOI can be the bad guy. Wible: depends how far DOI goes. Besadny: Fort Howard has motivation to force cooperation to avoid responsibility for whole amount of PCBs; FWS can be key actor in choosing alternative. Wible: Governor Thompson watching to see that industry not too upset. Blankenship: timeframe? Besadny: EPA and FWS further from situation than DNR. Baker: June or July for final Little Lake Buttes des Mortes public info document. Wible: Green Bay Mass Balance Study indicates 50-100-year flow could triple PCBs in Green Bay; U.S. Army Corps of Engineers would probably release flows from Fox River lock and dam system. Dredge, enrich, incinerate for Little Lake Buttes des Mortes; use P.H. Glatfelter incinerator; official after public release (w/possibility for change). Blankenship: FWS has experience with PCB incineration. FWS schedule: see how things go for a while; check with tribes. Besadny: concerned about tribal involvement; will be back in court with tribes; why has FWS become so active in State programs in last few years? Private lands program discussion. Besadny: customer service for industry; avoid confrontation as long as possible; don't need publicity if locals can accomplish task. Smith: when does it become stonewalling? Baker: will monitor as we go; will come up with a schedule. Baker & Smith will stay in contact. FWS post-meeting: inform Pete Jopke of meeting results; official FWS position by July; Smith talk to Baker, then letter from FWS, Region 3, Regional Director to Governor Thompson.

28 May 1992: Madison, WI meeting (David Allen, Pete Jopke) Jopke's position (natural resource damage assessment) will not be continued after March; not allowed to talk to Tom Eggert; DNR trying to limit the effect of natural resource damage assessment program; advocated strong natural resource damage assessment to DNR management which "cut his own throat"; Tom Eggert has unofficial memos and work on natural resource damage assessment, but sensitive about showing it around. David Allen will look for FWS, Region 3 positions for Jopke; FWS will continue to escalate the natural resource damage assessment issue to tribes and Governor, hope to compel DNR to fulfill Comprehensive Environmental Response, Compensation and Liability Act responsibilities. Meeting (David Allen, Ken Stromborg) reviewed discussion with Pete Jopke. Time to pursue heightening of public awareness: inform DNR staffers; officially notify tribes and Governor; inform Wisconsin Public Intervenor; inform non-governmental organization and public directly; prepare for heat and controversy; talk to Frank Horvath tomorrow.

01 Jun 1992: announcement of Fox River Coalition by DNR.

04 Jun 1992: Madison, WI meeting (David Allen, Tom Eggert) NOAA contacts; EPA contacts; analysis of U.S. state natural resource damage assessment programs. Phone (David Allen, Frank Horvath). Pete Jopke and Tom Eggert might both be available for hire (yes to both if practical on our end). DNR believes that natural resource damage assessment issue will “blow over.” David Allen: we should heighten public awareness both because of Comprehensive Environmental Response, Compensation and Liability Act requirements and DNR stonewalling; letter to Governor (wait); letter to tribes (yes, but have to figure out who); contact Wisconsin Department of Justice and Wisconsin Public Intervenor (yes); contact non-governmental organization (yes); contact federal Congressional delegation (memo to FWS Director first); proceed expeditiously with Lake Geneva natural resource damage assessment as test case (yes); document meeting with Besadny (yes).

15 Jun 1992: David Allen left message for Jim Hahnenberg RE meeting in Chicago (messages left on several subsequent days).

18 Jun 1992: David Allen, Ken Stromborg to Green Bay Remedial Action Plan meeting w/ Jo Mercurio, Jeff Steuer, Steve Jaeger, Don Schneider, Vicky Harris, Paul Bomgard: technical discussions about Green Bay Mass Balance Study.

16 Jun 1992: David Allen left message for Matt Richmond.

30 Jun 1992: phone (David Allen, Ken Stromborg, Steve Bradbury of EPA, Karen Enser of FWS) about Nemadji River train derailment and spill (Superior, WI).

01 Jul 1992: first meeting of Fox River Coalition.

13 Jul 1992: Allen memo on meeting with DNR about Fox River co-trusteeship.

29 Jul 1992: phone (David Allen, Pete Jopke) Professor Rich Bishop for Green Bay natural resource damage assessment economics work; \$1,200/month with graduate student; can start soon.

06 Aug 1992: Madison, WI meeting (David Allen, Rich Bishop) potential economics work with graduate student (Dave Bush) preassessment for a few \$1k; pilot study with data collection for a few \$100k; litigation-worthy study probably \$4.5 million (comprehensive); NOAA blue-ribbon panel addressed issue of whether and how non-use values can be reliably measured; DNR funded an initial literature search (Sep 1 - Jan; \$50k); better to look at whole resource rather than parts (e.g., based on trustee delineations); 4-8 focus groups in Fox River Valley with mail survey followed by quick preliminary draft results based on contingent valuation method model (\$7 per surveyed person; \$26k per year for Dave Bush's salary; \$500 per focus group).

06 Aug 1992: meeting (David Allen, Ken Stromborg, Janet Smith) \$75k for initial Fox River natural resource damage assessment economics.

07 Aug 1992: phone (David Allen, Frank Horvath) initial Fox River natural resource damage assessment economics work.

24 Aug 1992: David Allen sign up for natural resource economics course at University of Wisconsin at Madison.

24 Aug 1992: David Allen to Green Bay Remedial Action Plan meeting: technical discussions.

24 Aug 1992: David Allen finds contact information for Shelly Hall and Pete Raynor.

27 Aug 1992: Madison, WI meeting (David Allen, Dale Patterson, Tom Eggert, Pete Jopke) at Superior Board meeting, Besadny said no faith in natural resource damage assessment process for Nemadji River; some Wisconsin Department of Justice and DNR managers are still pushing for natural resource damage assessment though; memo of recommendation is pending; both interested in jobs with DOI, if practical.

14 Sep 1992: phone (David Allen, Frank Horvath) plan of action for natural resource damage assessment in WI, including series of memos and letters.

18 Sep 1992: David Allen memo to Frank Horvath with plan of action for natural resource damage assessment in WI.

21 Sep 1992: phone (David Allen, Dale Bryson of EPA, Region 5, Water Division, Director) about Green Bay natural resource damage assessment. Besadny told EPA no to enforcement and natural resource damage assessment. Rumors of enforcement initiative on Fox River; possibility of coordination between EPA (Water Division, Office of Regional Counsel) and FWS natural resource damage assessment? Detroit River first; also want to wait for completion of Green Bay Mass Balance Study by Great Lakes National Program Office. East Saint Louis in federal fiscal year 1993. Possibility of Green Bay in 1994.

16 Oct 1992: Madison, WI meeting (David Allen, Frank Horvath, Ken Stromborg by phone, Rich Bishop, David Bush, Pete Jopke, Janet Smith) potential economics work on Fox River and Green Bay. Broad range of natural resources with coarse refinement; general population survey including anglers and general population to determine order of magnitude of potential damages; do not single out natural resources by trustee; existing information available for hunting and fishing values; focus groups and literature search \$10k - \$12k; survey \$50k - \$65k; based on Great Lakes hunting and fishing valuations, probably looking at \$100 million as order of magnitude; 6 months - 1 year for this proposed initial work; Bishop can wait for a year but Bush probably cannot; Bishop advises NOAA on the Montrose natural resource damage assessment (Los Angeles, CA, DDT); funding might be practical through existing cooperative agreement with University of Wisconsin at Madison; 2 months

absolutely shortest time needed, but 6 month or 1 year more likely; ask Blankenship for immediate \$10k - \$12k of flexible funding.

19 Oct 1992: David Allen finalize and distribute Wisconsin natural resource damage assessment strategy memo. David Allen work on funding proposals for Green Bay natural resource damage assessment.

21 Oct 1992: Twin Cities, MN meeting (David Allen, Sam Marler, Marcia Kimball, Jean Sutton) strategies and schedules for natural resource damage assessment in WI.

02 Nov 1992: David Allen draft letters to co-trustees.

05 Nov 1992: Madison, WI meeting (David Allen, Ken Stromborg, Tom Dawson) Green Bay natural resource damage assessment, and damage assessments in WI generally.

03 Dec 1992: Chicago, IL meeting (David Allen, Howard Zar of EPA, Region 5, Water Division) EPA ready for FWS/EPA joint effort on Fox River; EPA can provide technical support, legal support, maybe money; EPA trying to work around DNR reluctance. Meeting (David Allen, Ken Fenner of EPA, Region 5, Water Division, branch chief) discussion about Endangered Species Act consultation requirements; cautious about FWS efforts on Green Bay. Meeting (David Allen, Marc Tuchman and Linda Holst of EPA, Region 5, Sediments) some issues with Tim Kubiak. David Allen meetings RE Green Bay Mass Balance Study.

11 Dec 1992: meeting (David Allen, Ken Stromborg) Ken Stromborg: Shelly Hall says Office of the Solicitor, Division of Conservation and Wildlife is in charge when talking to DOJ; wants to avoid legal opinions in record; involved on Lake Geneva; some discussion about Fox River. Meeting (David Allen, Janet Smith) Smith: Sam Marler encountering resistance from other Regional Directors to Lake Geneva natural resource damage assessment but held firm. Phone (David Allen, Frank Horvath) Frank Horvath: Jean Sutton offended by FWS actions on Lake Geneva natural resource damage assessment; Pete Escherich thinks we cannot move forward on Lake Geneva natural resource damage assessment unless we meet "reportable quantity" threshold.

26 Jan 1993: Twin Cities, MN meeting (David Allen, Jean Sutton) disagreements about timing of settlement negotiations vs. assessment process. Meeting (David Allen, Frank Horvath, John Blankenship) follow assessment process; do not worry about keeping Janet Smith involved in details.

28 Jan 1993: Series of phone conversations (David Allen) FWS, Law Enforcement Division, and EPA, Region 5, Office of Regional Counsel, and DOJ having trouble with Jean Sutton and DOI, Office of the Solicitor, Field Solicitor (Lake Geneva natural resource damage assessment).

23 Mar 1993: Twin Cities, MN meeting (David Allen, Tony Giedt) NOAA structure and approach to natural resource damage assessment; strategies for Fox River/Green Bay natural resource damage assessment.

14 Apr 1993: phone (David Allen, Ken Fenner) set up meeting between Dale Bryson and John Blankenship RE Green Bay natural resource damage assessment. Meeting (David Allen, Ken Stromborg, Janet Smith) advancing Green Bay natural resource damage assessment before waiting for Regional Office prioritization of sites.

20 May 1993: Meeting (David Allen, Janet Smith) Smith: John Blankenship met with Dale Bryson; main topic was Green Bay natural resource damage assessment; meeting in Chicago in August, then meet with DNR.

08 Jun 1993: phone (David Allen, Rich Bishop) money for economics came through.

17 Jun 1993: phone (David Allen, Rich Bishop, David Bush, John Stoll of University of Wisconsin at Green Bay) can start in approximately 1 year.

21 Jun 1993: phone (David Allen, Ken Fenner) meeting between John Blankenship and Dale Bryson.

10 Aug 1993: phone (David Allen, Frank Horvath) PCB injury determination; will talk to Ken Stromborg, Lisa Williams, Tim Kubiak of FWS, Lou Sileo of FWS to decide whether can meet legal hurdles for injuries.

12 Aug 1993: phone (David Allen, Frank Horvath) Green Bay Mass Balance Study results/publication as potential trigger for statute of limitations (potentially the first plausible connection between Green Bay injuries and Fox River releases).

19 Aug 1993: phone (David Allen, Frank Horvath) line up cooperative agreement between FWS and University of Wisconsin at Madison so that Rich Bishop can begin economics work.

23 Aug 1993: phone (David Allen, Frank Horvath) Frank Horvath will talk to John Mullens of FWS, Region 3 about contracting requirements for Rich Bishop work.

02 Sep 1993: Twin Cities, MN meeting (David Allen, Frank Horvath, Ken Stromborg, John Blankenship, Janet Smith, Tara Dale) need to meet with George Meyer informally and formally; try for memorandum of understanding/memorandum of agreement between FWS and DNR; need access to National Pollutant Discharge Elimination System records, pre-National Pollutant Discharge Elimination System information, Green Bay Mass Balance Study information. Meeting (David Allen, Frank Horvath, Ken Stromborg, Dale Bryson, Ken Fenner, John Blankenship, Hilda Diaz of FWS, Region 3, T.J. Miller, Janet Smith, Tara Dale) Dale Bryson meeting with Lyman Wible soon, will invite John Blankenship if practical; FWS moving forward with Green Bay natural resource damage assessment after meeting with DNR to try cooperative approach again; internal debate within EPA, Region 5 about how to deal with DNR; Val Adamkus of EPA, Region 5, Regional Administrator and George Meyer will meet soon; discussion of strategies, approaches, and coordination between natural resource damage assessment, Lake Michigan Lakewide Management Plan, Remedial Action Plans,

Great Lakes Water Quality Guidance, Green Bay Mass Balance Study, etc.; if DOJ involvement, keep natural resource damage assessment separate from Clean Water Act litigation; next meeting in Chicago.

09 Sep 1993: phone (David Allen, Rich Bishop) talked to Don Rusch of FWS; positive response RE cooperative agreement between FWS and University of Wisconsin at Madison; will start work in the summer; David Busch will call soon about more details.

15 Sep 1993: phone (David Allen, Linda Holst) Holst: Dale Bryson talked to Lyman Wible; latter worried about natural resource damage assessment and EPA helping FWS at cross purposes to DNR. Meeting (David Allen, Ken Stromborg, Janet Smith) keep Green Bay natural resource damage assessment on fast track; briefings at Regional Office soon.

20 Sep 1993: meeting (David Allen, Janet Smith) Smith: John Blankenship talked to Dale Bryson; they will meet with DNR about Wisconsin concern over FWS and natural resource damage assessment.

01 Oct 1993: phone (David Allen, Rich Bishop) preliminary examination of lost-use values for natural resources in Fox River/Green Bay contaminated by PCBs; July 1994 - June 1996; focus groups and small survey (n=500 or 1000).

07 Oct 1993: phone (David Allen, Sue Gilbertson of EPA, Region 5, Water) keeps hearing about Fox River natural resource damage assessment; FWS serious? Yes.

12 Oct 1993: phone (David Allen, Claudia Johnson-Schultz of EPA, Region 5, Water) contacts for Menominee Indian Tribe of Wisconsin and Oneida Tribe of Indians of Wisconsin.

13 Oct 1993: meeting (David Allen, Mark Holey) Green Bay natural resource damage assessment; lake trout.

19 Oct 1993: meeting (David Allen, Janet Smith) Smith: Fox River Coalition meeting today; discussed Little Lake Buttes des Morts project; George Meyer supports Fox River Coalition and cooperation, not legal action; federal approach would be more expensive with less local support; characterization study \$40k (DNR pays 1/2); DNR seeking federal money and will help pay.

20 Oct 1993: phone (David Allen, Frank Horvath) Comprehensive Environmental Response, Compensation and Liability Act 104(e) authority for information requests to paper mills.

28 Oct 1993: phone (David Allen, Lisa Williams): Saginaw natural resource damage assessment and Green Bay natural resource damage assessment.

Nov 1993: meeting between FWS and EPA RE Green Bay natural resource damage assessment.

01 Nov 1993: phone [(David Allen, Terry Anderson) Green Bay natural resource damage assessment.

02 Nov 1993: meeting (David Allen, Ken Stromborg, Janet Smith) prepare for extreme controversy from DNR when FWS sends co-trustee invitation letters; likely position will be that they derail Fox River Coalition.

09 Nov 1993: phone (David Allen, Bonnie Eleder) David Allen: EPA should use Superfund at Fox River; Eleder: EPA, Region 5, Superfund does not want to give appearance to DNR that they are stepping in; sensitive to DNR position.

10 Nov 1993: phone (David Allen, Terry Anderson) Green Bay natural resource damage assessment.

18 Nov 1993: FWS letter inviting DNR to discuss natural resource damage assessment co-trusteeship on Green Bay natural resource damage assessment.

30 Nov 1993: phone (David Allen, Becky Katers) Green Bay natural resource damage assessment.

01 Dec 1993: Twin Cities, MN meeting (David Allen, Frank Horvath, John Blankenship, Janet Smith, Larry Dean) Blankenship wants David Allen to work with Frank Horvath for several weeks on FWS, Region 3/DOI, Office of the Solicitor, Field Solicitor policy because of continuing friction and disputes.

02 Dec 1993: Twin Cities, MN meeting (David Allen, Sam Marler, George Meyer, Maryann Sumi) Fox River Coalition vs. natural resource damage assessment; DNR says tribes cannot be co-trustees in WI; Governor will become involved if FWS moves forward with natural resource damage assessment.

06 Dec 1993: phone (David Allen, Terry Anderson) Green Bay natural resource damage assessment. Phone (David Allen, Frank Horvath, Janet Smith) Sam Marler desire to keep natural resource damage assessment out of press in not realistic. Allen memo on co-trusteeship and press contacts.

08 Dec 1993: phone (David Allen, Terry Anderson) Green Bay natural resource damage assessment.

09 Dec 1993: Regional Director Marler formal letter inviting DNR participation in Green Bay natural resource damage assessment.

13 Dec 1993: formal interview (David Allen, Ken Stromborg, Janet Smith, Terry Anderson) story on Green Bay natural resource damage assessment.

15 Dec 1993: phone (David Allen, Matt Richmond, Jim Santelle of DOJ, Assistant U.S. Attorney, Civil Division Chief) DOJ officially opening a matter on Lower Fox River and Green Bay natural resource damage assessment; time to accomplish something.

16 Dec 1993: phone (David Allen, Matt Richmond) details and strategies for Green Bay natural resource damage assessment. Matt Richmond very excited to be working on the natural resource

damage assessment; will attend meeting of combined Fox River Coalition, Remedial Action Plan, and Science and Technical Advisory Committee.

06 Jan 1994: David Allen to DNR District Office to copy National Pollutant Discharge Elimination System files for Fort Howard and P.H. Glatfelter (Bergstrom).

12 Jan 1994: phone (David Allen, Ken Stromborg, Frank Horvath) whether and how to copy people outside of FWS; Office of the Solicitor, Field Solicitor very upset with FWS, Green Bay Field Office, particularly because of story in Green Bay Press-Gazette.

13 Jan 1994: Chicago, IL meeting (David Allen, Frank Horvath, Tony Giedt, T.J. Miller) extensive discussion about how to involve NOAA in Green Bay natural resource damage assessment.

24 Jan 1994: Twin Cities, MN: David Allen and Frank Horvath work on policies and procedures for natural resource damage assessment coordination between FWS, Region 3 and DOI, Office of the Solicitor, Field Solicitor. Meeting (David Allen, John Blankenship, Don Henne, Mike Chezik of DOI, Office of Environmental Policy Compliance, Carol Beall) DOI bureau coordination with Office of the Solicitor.

01 Feb 1994: phone (David Allen, Jennifer Patoir of Fort Howard) Green Bay natural resource damage assessment and potential liability.

02 Feb 1994: David Allen analysis of federally-permitted discharges.

07 Feb 1994: WI Governor letter to FWS that DNR is deliberating on whether to participate in Green Bay natural resource damage assessment.

10 Feb 1994: FWS Regional Director Marler formal letter inviting Oneida and Menominee tribes to participate in Green Bay natural resource damage assessment.

17 Feb 1994: phone (David Allen, Matt Richmond) Green Bay natural resource damage assessment.

23 Feb 1994: phone (David Allen, Frank Horvath) Lake Geneva natural resource damage assessment highlighting big problems with DOI review and sign-off procedures, especially Office of Environmental Policy Compliance and Office of the Solicitor, Field Solicitor; Ben Fisherow and Leslie Lehnert now involved, particularly because of limitations in Field Solicitor delegations (and capability on natural resource damage assessment).

01 Mar 1994: phone (David Allen, Brenda Hagman of DNR, Director of Enforcement) natural resource damage assessment in WI, including Green Bay.

03 Mar 1994: phone (David Allen, Matt Richmond) Lake Geneva natural resource damage assessment, Green Bay natural resource damage assessment, Office of the Solicitor, Field Solicitor issues,

including opposition to FWS dealing with DOJ directly; made plan to keep legitimate contacts between FWS and DOJ strong without unnecessarily exacerbating Field Solicitor discomfort. Phone (David Allen, Tom Eggert) Eggert: Brenda Hagman asking many questions about natural resource damage assessment, including Nemadji River and Green Bay.

07 Mar 1994: phone (David Allen, Shelly Hall) Lake Geneva natural resource damage assessment has been elevated to DOJ Assistant Attorney-General (Office of the Solicitor, Field Solicitor taking actions without necessary delegations, referrals, and/or filings). Phone (David Allen, Matt Richmond) Matt Richmond: Ben Fisherow will call Mariana Shulstad; Matt Richmond will also call Mariana Shulstad. Phone (David Allen, Pete Jopke) Jopke: questions from Brenda Hagman about natural resource damage assessment. Phone (David Allen, Reg Pallesen of EPA, Region 5, Office of Regional Counsel) Pallesen: talked to Ben Fisherow; same story as from Matt Richmond; Mariana Shulstad seems pretty defensive about David Allen role, probably because of involvement in legal matters.

08 Mar 1994: conference call (David Allen, Frank Horvath, Ken Stromborg, John Blankenship, T.J. Miller, Janet Smith) FWS presentation at Fox River Coalition; Miller to give presentation; Smith and David Allen to attend; discuss natural resource damage assessment process instead of Green Bay case specifics.

09 Mar 1994: phone (David Allen, Frank Horvath, Don Henne, Marcia Kimball, Herb Nelson of Bureau of Indian Affairs, Janet Smith) about April 1994 FWS briefing by FWS for FWS, Office of Environmental Policy Compliance, Field Solicitor, Bureau of Indian Affairs, DOJ regarding Green Bay natural resource damage assessment.

15 Mar 1994: meeting (David Allen, Janet Smith) David Allen: FWS action needed to create and assist forward momentum; Smith: don't know how to keep FWS in the loop; David Allen: FWS is the action agency - FWS creates the loop. Smith: John Blankenship concerned about David Allen memos and cc lists. David Allen: happy to remove John Blankenship from the cc lists; ok.

18 Mar 1994: phone (David Allen, John Koss) Green Bay natural resource damage assessment; Menominee Indian Tribe of Wisconsin interested in FWS/Menominee Indian Tribe of Wisconsin memorandum of agreement.

22 Mar 1994: phone (David Allen, Pete Jopke) Jopke: questions about upcoming Fox River Coalition presentation for DNR management; much internal DNR interest. David Allen: tell everybody that FWS does not wish or intend to diminish or judge Fox River Coalition; hopeful and supportive of quick and adequate success by Fox River Coalition in cleaning up Fox River; natural resource damage assessment need not ever catch up.

29 Mar 1994: phone (David Allen, Pete Jopke) Jopke: not allowed to talk with anybody at FWS anymore (DNR management).

30 Mar 1994: meeting (David Allen, Janet Smith) Smith: John Blankenship said Sam Marler and George Meyer spoke; next John Blankenship and Maryann Sumi will speak; Blankenship upset with DNR; ready to move forward without them.

31 Mar 1994: phone (David Allen, Matt Richmond) information about Fox River Coalition for DOJ memo; Matt Richmond will attend April FWS meeting; discussion about NOAA.

01 Apr 1994: phone (David Allen, Tom Dawson) Dawson: spoke to George Meyer about issues with Fox River Coalition (disagrees with WI paying half); David Allen send FWS chronology of natural resource damage assessment events; Dawson will contact media and politicians.

05 Apr 1994: phone (David Allen, Tom Eggert) Eggert: Val Adamkus letter to George Meyer to re-designate WI natural resource trustee; DNR deliberating on whether to participate in natural resource damage assessment: either “no,” or “no with conditions;” Tom pushing for seeking more information about relationship between cleanup and natural resource damage assessment.

06 Apr 1994: phone (David Allen, Frank Horvath) natural resource damage assessment briefing soon for FWS Director Mollie Beattie.

07 Apr 1994: phone (David Allen, Rich Bishop) ready for summer start on economics work.

12 Apr 1994: meeting (David Allen, Janet Smith) John Blankenship talked with Maryann Sumi: nothing new.

13 Apr 1994: phone (David Allen, Shelly Hall) long conversation about Lake Geneva natural resource damage assessment; Hall fed up with Mariana Shulstad; DOJ (Leslie Lehnert), EPA (Reg Pallesen), and Office of the Solicitor, Division of Conservation and Wildlife (Hall) working on fixing problems via EPA administrative order.

14 Apr 1994: David Allen to Fox River Coalition meeting; pointed discussion about FWS and natural resource damage assessment.

15 Apr 1994: phone (David Allen, Ken Fenner) federally-permitted release arguments and strategies. Phone (David Allen, Matt Richmond) same. Phone (David Allen, Frank Horvath) Tony Giedt to FWS meeting on Green Bay natural resource damage assessment.

18 Apr 1994: Milwaukee, WI meeting (David Allen) finalize preassessment screen and determination and notices of intent to perform an assessment for the Green Bay natural resource damage assessment.

20 Apr 1994: phone (David Allen, Matt Richmond) if green light from DOJ, Environmental Enforcement Section, Matt Richmond will jump into Green Bay natural resource damage assessment with both feet. Phone (David Allen, Frank Horvath) Shelly Hall nervous about NOAA involvement.

05 May 1994: phone (David Allen, Matt Richmond) tomorrow, jointly call from Milwaukee Assistant U.S. Attorney office: Ken Fenner, Tim Henry of EPA, Region 5, Water, Reg Pallesen of EPA, Region 5, Office of Regional Counsel about federally-permitted release issue (David Allen travelled to Milwaukee for call and detailed discussion on 06 May 1994); issue to be handled; not fatal; Matt Richmond will call Ben Fisherow next week.

09 May 1994: Governor Thompson letter to EPA formally designating DNR Secretary as natural resource trustee for WI.

13 May 1994: Sam Marler signed preassessment screen and determination for Green Bay natural resource damage assessment.

19 May 1994: Sec. Meyer letter to FWS formally declining participation Green Bay natural resource damage assessment.

26 May 1994: formal, signed preassessment screen and determination for Green Bay natural resource damage assessment (DOI); decision to proceed.

07 Jun 1994: David Allen distribute signed preassessment screen and determination to DOJ, EPA, Wisconsin Public Intervenor.

10 Jun 1994: phone (David Allen, Frank Horvath) Frank Horvath: Shelly Hall says she talked to Leslie Lehnert and Ben Fisherow; DOJ entering Great lakes natural resource damage assessment in big way - do not want another Lake Geneva; determine registered agents and addresses for potentially responsible parties to be formally notified.

14 Jun 1994: David Allen to Chicago, IL natural resource damage assessment conference; gave card to Bill Brighton; set up meeting with Ben Fisherow soon.

20 Jun 1994: formal notification of intent to perform a natural resource damage assessment and potentially responsible party identification (FWS for DOI).

21 Jun 1994: David Allen to Washington, D.C.: Shelly Hall hastily and unwisely cancelled meeting that Frank Horvath and David Allen set up with Ben Fisherow and 20 attorneys from DOJ, Environmental Enforcement Section; tried to stop notice of intent letters to potentially responsible parties (too late); Pete Raynor said Shelly Hall blew a fuse about the DOJ briefing. Briefing (David Allen, Frank Horvath) for DOI Secretary, Office of Environmental Policy Compliance, Office of the Solicitor, Division of Conservation and Wildlife, FWS, headquarters; much posturing for control by Office of Environmental Policy Compliance and Office of the Solicitor; recognition that cannot stop this train; momentum created for explicit delegations to FWS, Region 3, Regional Director to serve as DOI Authorized Official for Great Lakes natural resource damage assessment.

23 Jun 1994: phone (David Allen, Tony Giedt) explain to Bill Brighton that Fisherow meeting was set up quickly, leaving only short timeframe for Office of the Solicitor notification; Office of the Solicitor reaction unfortunate and unnecessary.

11 Jul 1994: phone (David Allen, Rich Bishop) University of Wisconsin at Madison may not be ideal for litigation work; Bishop part of HBRS (private contractor).

13 Jul 1994: phone (David Allen, Shelly Hall) Hall: worried about confidentiality of economics work by Rich Bishop.

20 Jul 1994: phone (David Allen, Shelly Hall) Hall: worried about assessment activities before assessment plan.

21 Jul 1994: Menominee Reservation, WI meeting: David Allen presentation to Menominee Indian Tribe of Wisconsin Tribal Legislature regarding Green Bay natural resource damage assessment.

25 Jul 1994: phone (David Allen, Shelly Hall) Hall: DOJ, Environmental Enforcement Section will assign Susan Schneider; not sure how many additional to assign; need referral from DOI to DOJ.

02 Aug 1994: phone (David Allen, Frank Horvath) Frank Horvath: Bruce Baker testified before Congress for DNR on 26 Jul 1994 that they need \$30 million over six years for sediment remediation of Fox River.

08 Aug 1994: letter from Fox River Group of potentially responsible parties to FWS that they will participate in Green Bay natural resource damage assessment. Phone (David Allen, Susan Schneider) detailed discussion about Green Bay natural resource damage assessment. Phone (David Allen, Matt Richmond) Matt Richmond: talked to Susan Schneider for an hour about Green Bay natural resource damage assessment.

15 Aug 1994: meeting Green Bay, WI (David Allen, Matt Richmond, Frank Horvath, Ken Stromborg, Susan Schneider, Elliott Eder, Shelly Hall, T.J. Miller, Pete Jopke, Cheryl Dykstra) detailed discussions about Green Bay natural resource damage assessment. Start record control with Bates numbers. Hire consultants for assessment phase.

16 Aug 1994: letter from WI Governor to FWS expressing disappointment in decision to proceed with Green Bay natural resource damage assessment.

23 Aug 1994: Chicago, IL: White House Ecosystem Survey: David Allen presentations on Green Bay natural resource damage assessment; Fox River Coalition discussion.

20 Sep 1994: meeting (David Allen, Ken Stromborg, Pete Jopke) need to more regularly coordinate the growing activities of the Green Bay natural resource damage assessment.

22 Sep 1994: David Allen finish initial organization of Fort Howard files. Phone (David Allen, Matt Richmond) need referral from DOI to DOJ to keep DOJ, Environmental Enforcement Section on the hook; need DOI/DOJ meeting to discuss causation; would be great to convince EPA to list Fox River on the National Priorities List but seems very unlikely.

27 Sep 1994: phone (David Allen, Frank Horvath) DOI natural resource damage assessment funding meeting: Green Bay 2nd in U.S. after Coeur d'Alene, ID; \$1M for Green Bay this year.

29 Sep 1994: phone (David Allen, Shelly Hall) Hall agrees with weekly conference call; also wants David Allen to make fewer contacts with other people (Hall is lead), Hall will talk to Janet Smith if needed; David Allen offered Hall phone numbers for Janet Smith, Ken Stromborg, Frank Horvath, John Blankenship, and Sam Marler.

30 Sep 1994: David Allen send materials to initiate referral from DOI to DOJ on Green Bay natural resource damage assessment.

04 Oct 1994: David Allen draft and transmit framework for conducting Green Bay natural resource damage assessment. Phone (David Allen, Bonnie Elder) Eleder: EPA has not identified Fox River as a priority for Superfund; EPA relying on State efforts; EPA will only initiate Superfund if State asks.

18 Oct 1994: phone (David Allen, Shelly Hall) Hall: postpone call between attorneys and Rich Bishop.

24 Oct 1994: Regional Administrator Adamkus letter to Regional Director Marler about coordinating Remedial Action Plans, Lakewide Management Plans, and natural resource damage assessments.

25 Oct 1994: letter from WI Governor to DOI requesting that the Green Bay natural resource damage assessment be halted.

28 Oct 1994: Joe Moniot begins Bates stamping all documents for Green Bay natural resource damage assessment.

31 Oct 1994: phone (David Allen, Matt Richmond) Matt Richmond and Susan Schneider worried about Shelly Hall work load; David Allen: Frank Horvath and David Allen also worried: bottleneck. Phone (David Allen, Frank Horvath) plan response to letter from Governor Thompson.

03 Nov 1994: FWS Regional Director Marler letter responding to Gov. Thompson.

08 Nov 1994: meeting between DOJ, DOI, Menominee Indian Tribe of Wisconsin to plan Green Bay natural resource damage assessment: assessment phase.

09 Nov 1994: site visit (David Allen, Frank Horvath, Susan Schneider, Elliott Eder, Bruce Green, Shelly Hall, Janet Smith, Herb Nelson). Meeting between Maryann Sumi et al. and Shelly Hall et al. Please stop. No. (excruciatingly long and detailed exchange).

10 Nov 1994: Phone (David Allen, Matt Richmond) Matt Richmond: Susan Schneider and some other attorneys concerned about confidentiality; long debate between Matt Richmond and David Allen about pros and cons of traditional pre-trial stance keeping everything close vs. public administrative process sharing as much as practical (including the legal advantages of each approach); agreement that the latter is preferable; will deal with confidentiality concerns carefully, but will not agree to keep everything confidential that can possibly be kept confidential. Phone (David Allen, Shelly Hall) Hall: delay meeting between attorneys and Rich Bishop; Ben Fisherow concerned about lack of referral from DOI.

15 Nov 1994: Phone (David Allen, Bonnie Elder) Eleder: National Priorities List listing for Fox River is unlikely.

22 Nov 1994: Phone (David Allen, Doug Beltman); difference of opinion about the appropriate role for consulting experts.

28 Nov 1994: Ann Arbor, MI meeting (David Allen, Frank Horvath, Mark Van Putten, Wayne Schmidt, Charlie Wooley, Lisa Williams, T.J. Miller) Green Bay natural resource damage assessment.

29 Nov 1994: Phone (David Allen, Shelly Hall) Hall: Governor Thompson contacted Secretary Babbitt last week about Green Bay natural resource damage assessment. Babbitt wants briefing statements to answer 3 questions.

06 Dec 1994: Meeting (David Allen, Ken Stromborg) Ken Stromborg: cancelled meeting with Rich Bishop based on call from Susan Schneider and Elliot Eder.

09 Dec 1994: David Allen organize files from Ken Stromborg's office. Phone (David Allen, Elliott Eder) long conversation about how to establish post-1980 injuries caused by pre-1974 releases.

12 Dec 1994: Phone (David Allen, Elliott Eder) long conversation about injury information, release information, new assessment work, and strategy for balancing litigation risk of too much public information too quickly with advantages for public involvement and deference from court.

13 Dec 1994: phone (David Allen, FWS, Region 3, Contracting) procedures for hiring expert consultants.

22 Dec 1994: phone (David Allen, Elliott Eder) hiring lead consultant to advise about what assessment work should be completed.

Dec 1994a: phone discussion between DOI Secretary Babbitt and Governor Thompson regarding stopping the Green Bay natural resource damage assessment.

Dec 1994b: meeting between Fox River Group representatives and DOI Chief of Staff regarding relative merit of Fox River Coalition vs. natural resource damage assessment.

18 Jan 1995: Phone (David Allen, Barry Stein) Stein: Comprehensive Environmental Response, Compensation and Liability Act Section 109(e) applies to contracting; can sole source without competition; have Shelly Hall send memo to FWS, Region 3, Contracting. Phone (David Allen, Elliott Eder) 43 CFR 11 injury acceptance criteria.

27 Jan 1995: meeting between Fox River Group representatives and DOI Deputy Solicitor regarding the relative merit of Fox River Coalition vs. natural resource damage assessment.

02 Feb 1995: phone (David Allen, Linda Holst) Holst: concerned about Fox River Coalition proposals to Great Lakes National Program Office.

06 Feb 1995: phone (David Allen, Shelly Hall) Steve Jawetz wants a meeting between DOI and Fox River Group.

09 Feb 1995: phone (David Allen, Sue Gilbertson of EPA, Region 5, Water) Gilbertson: briefing Dave Ullrich on Green Bay. David Allen drafts concept paper for Green Bay after reading NOAA (Bill Conner) article on the injury-restoration handshake.

15 Feb 1995: phone (David Allen, Shelly Hall) Hall: Steve Jawetz insisting on meeting; elevated to Ann Shields (DOI Solicitor); working with John Mullins (FWS contracting to convince that we can sole source under Comprehensive Environmental Response, Compensation and Liability Act.

17 Feb 1995: phone (David Allen, Hector Galbraith, Doug Beltman) second marketing call; happily surprised that FWS looking into prime contractors for Green Bay natural resource damage assessment.

01 Mar 1995: phone (David Allen, Matt Richmond) strategies and plans for the Green Bay natural resource damage assessment and the meeting with Steve Jawetz and Fox River Group. Phone (David Allen, Linda Holst) Holst: Great Lakes National Program Office upset with David Allen memo about Fox River Coalition funding.

06 Mar 1995: phone (David Allen, Frank Horvath) plans to make sure that FWS is in the meeting with Fox River Group, not just attorneys.

07 Mar 1995: phone (David Allen, Shelly Hall) David Allen: FWS in meeting with Fox River Group even if legal issues only. Phone (David Allen, Linda Holst) Holst: Chris Grundler claims that Dave Ullrich does not support natural resource damage assessment, but Holst heard Ullrich only say that he

supports DNR (not opposition to natural resource damage assessment). Phone (David Allen, Tony Giedt) Giedt: NOAA having big internal debates about whether and how to assert trusteeship in the Great Lakes.

08 Mar 1995: phone (David Allen, Steve Jaeger) Jaeger will send David Allen sediments maps of Fox River.

10 Mar 1995: Chicago, IL meeting (David Allen, Frank Horvath, Ken Stromborg, TJ Miller, Susan Schneider, Shelly Hall, Roger Grimes, Bonnie Eleder, Mark Tuchman, Linda Holst, Mike Mikulka of EPA, Sue Gilbertson, Gary Koehlepp of EPA, Dana Reznik of EPA, Howard Zar, Cathy Garapee of EPA, Dave Garbaciak of EPA) David Allen presentation about Green Bay natural resource damage assessment; EPA distilling all notes into one set. Separate conversations by David Allen with Grimes, Holst, Gilbertson, Koehlepp. EPA divided about Superfund and natural resource damage assessment: Office of Regional Counsel and Water in favor; Great Lakes National Program Office and Superfund tentative or unsupportive; Ullrich deliberating seriously but cautious.

14 Mar 1995: phone (David Allen, Shelly Hall) Hall: need to enter negotiations with Fox River Group about potential funding and participation agreement for Green Bay natural resource damage assessment; first meeting should be led by attorneys; not worried about attendance by Frank Horvath and David Allen, but may need to be pretty restrictive on attendance.

15 Mar 1995: phone [David Allen, Frank Horvath, Ken Stromborg, Matt Richmond, Shelly Hall, Susan Schneider, Herb Nelson, Janet Smith, Cheryl Dykstra, Glenn Miller of Menominee Indian Tribe of Wisconsin, John Koss, Bruce Green) long meeting about funding and participation agreement negotiations.

20 Mar 1995: Washington, D.C. meeting (David Allen, Frank Horvath, Ken Stromborg, Matt Richmond, Janet Smith, TJ Miller, Herb Nelson, Don Henne, Shelly Hall, Susan Schneider, Bruce Green, John Koss, Glenn Miller) on negotiation with Fox River Group about potential funding and participation agreement.

21 Mar 1995: Washington, D.C.: meeting with Fox River Group about potential funding and participation agreement.

22 Mar 1995: phone (David Allen, Linda Holst) Holst: Val Adamkus and Dave Ullrich may ask John Blankenship to halt natural resource damage assessment over fear of what could happen if a natural resource damage assessment case is filed by DOJ; Ken Fenner may not be FWS ally on this.

23 Mar 1995: phone (David Allen, Frank Horvath, TJ Miller) debrief about meeting with potentially responsible parties; discussion about FWS staff excluded from meeting; discussion about EPA, Region 5 and how to bring Bill Hartwig into the loop about EPA.

24 Mar 1995: conference call (David Allen, Frank Horvath, Ken Stromborg, Shelly Hall, TJ Miller, Janet Smith, Bruce Green) about potentially responsible party meeting and how to negotiate with the potentially responsible parties.

27 Mar 1995: phone (David Allen, Frank Horvath) Frank Horvath: Frank Horvath and TJ Miller had impromptu discussion with DOI Secretary Bruce Babbitt; he knew about Green Bay natural resource damage assessment; said Governor Thompson is pressuring him to halt the natural resource damage assessment; Babbitt said twice that he will move forward; get him a letter through senior FWS and DOI management and he will sign.

29 Mar 1995: phone (David Allen, Mike Hay of FWS, Economics Division) Industrial Economics (private natural resource damage assessment consultant) will be online for FWS natural resource damage assessment (prime contract) soon; interested in helping with Green Bay natural resource damage assessment, preliminary estimate of damages, etc. Phone (David Allen, Linda Holst) Holst: meeting with Dave Ullrich: he agrees with natural resource damage assessment but prefers that it be accomplished through Fox River Coalition; wants to meet with Bill Hartwig and DOJ, then George Meyer at DNR.

20 Apr 1995: meeting between DOI Office of the Secretary, DNR, Fort Howard, and the City of Neenah regarding the relative merit of Fox River Coalition vs. natural resource damage assessment; meeting between DOI Office of the Secretary, Oneida Tribe of Indians of Wisconsin, Lake Michigan Federation, and the Clean Water Action Council of Northeastern Wisconsin to discuss the Green Bay natural resource damage assessment; DOI letter to WI Governor regarding Fox River Coalition and Green Bay natural resource damage assessment.

04 Apr 1995: Milwaukee, WI meeting (April 4-5) with potentially responsible parties about potential funding and participation agreement for Green Bay natural resource damage assessment.

13 Apr 1995: phone (David Allen, Susan Schneider) follow-up from meeting with potentially responsible parties; Hagler Bailly pushing hard for the Green Bay natural resource damage assessment work; they have Richard Bishop as subcontractor; also worked on Saginaw Bay, MI.

18 Apr 1995: conference call with potentially responsible parties about funding and participation agreement.

26 Apr 1995: phone (David Allen, Frank Horvath) briefing for Bill Hartwig on FWS, Region 3 natural resource damage assessment, soon; Green Bay natural resource damage assessment scope of work, soon; Susan Schneider talking to Roger Grimes about DNR requests for funding for Fox River through Great Lakes National Program Office.

27 Apr 1995: phone (David Allen, Susan Schneider) hardline position against tribes by DNR and Fox River Coalition will help maintain DOI resolve; may not help much with Congress on Comprehensive Environmental Response, Compensation and Liability Act reauthorization; continue

to bring in NOAA on Green Bay natural resource damage assessment, despite turf issues from DOI; need to find ways to work around Shelly Hall as bottleneck; need to get explicit delegations down to FWS, Region 3.

01 May 1995: meeting (David Allen, Janet Smith) long discussion about briefing for Bill Hartwig on Green Bay natural resource damage assessment on June 14, 1995.

09 May 1995: phone (David Allen, Matt Richmond) Matt Richmond: need to figure out how to prevent Shelly Hall from causing a bottleneck; need delegations to FWS, Region 3.

12 May 1995: conference call (David Allen, Frank Horvath, Matt Richmond, Shelly Hall, Susan Schneider, Janet Smith) Green Bay natural resource damage assessment criticized during Comprehensive Environmental Response, Compensation and Liability Act reauthorization debates on the Hill (Inhoffe from OK: Green Bay natural resource damage assessment by “meddling bureaucrats”); potentially responsible parties claim to Ann Shields that DOI is fine on Green Bay natural resource damage assessment, but DOJ in the way; Shelly Hall: talked to John Blankenship; had to talk him out of trying to meet with the Green Bay potentially responsible parties on his own.

15 May 1995: DOI letter to 14 conservation and environmental groups that the Green Bay natural resource damage assessment will proceed.

18 May 1995: conference call (David Allen, Frank Horvath, Ken Stromborg, Matt Richmond, Shelly Hall, Susan Schneider, Bruce Green, Sandy Aspin): discussion about Hagler Bailly: definitely qualified to be prime contractor on natural resource damage assessment; will meet with them after they submit a proposal; Green Bay natural resource damage assessment Summit I in June to discuss Green Bay natural resource damage assessment details and strategies.

19 May 1995: conference call (David Allen, Matt Richmond, Shelly Hall, Susan Schneider) strategies on DNR requests for money via Water Resources Development Act. Phone (David Allen, Frank Horvath) how to engage Bill Hartwig on Green Bay natural resource damage assessment, particularly the political issues.

24 May 1995: conference call (David Allen, Matt Richmond, Ken Stromborg, Shelly Hall) DNR lobbying for Water Resources Development Act funding for Fox River; Bruce Baker opining that federally-permitted release prevents natural resource damage assessment viability.

31 May 1995: 16th Fox River Coalition meeting.

02 Jun 1995: conference call (David Allen, Matt Richmond, Ken Stromborg, Shelly Hall, TJ Miller, Trish Aspland, Nina Mendelssohn of DOJ, Public Affairs, John Blankenship, Pam Matthes of FWS, headquarters, Contaminants, Janet Smith) how to ensure polluter pays principle in face of DNR and Fox River Coalition efforts for public bailout via Water Resources Development Act; EPA Region 5

better ally than Headquarters, and Region 5 divisions better allies than Great Lakes National Program Office.

09 Jun 1995: meeting (David Allen, Janet Smith) Smith: talked to John Blankenship and Shelly Hall about EPA/FWS meeting: Val Adamkus, Dave Ullrich, Chris Grundler, Gail Ginsberg (EPA, Region 5, Office of Regional Counsel, Chief), Barry DeGraff (EPA, Region 5, Water), Ben Fisherow, Susan Schneider, Matt Richmond, Shelly Hall, John Blankenship, TJ Miller, Bill Willis (?), Jan Miller (U.S. Army Corps of Engineers) attended; Dave Ullrich supportive of working through the Fox River Coalition, but not willing to undermine the natural resource damage assessment; Ullrich wants DOI to try again with Fox River Coalition and DNR; Susan Schneider pointed out the Fox River Coalition is not any kind of actual entity that can be held accountable for anything.

11 Jun 1995: Washington, D.C. 3-day meeting (David Allen, Matt Richmond, Susan Schneider, Leslie Lehnert, and several other DOJ attorneys) discuss federally-permitted release arguments and counter-arguments.

14 Jun 1995: David Allen brief Bill Hartwig on the Green Bay natural resource damage assessment in Green Bay, WI; David Allen fly with Bill Hartwig and discuss Green Bay natural resource damage assessment: Hartwig wants to be the “new guy” and build in some extra time to secure delegation from DOI, solidify EPA support, and give Fox River Coalition and DNR a chance to see us as more reasonable; recognizes that will be tricky to make this happen while preserving administrative momentum and legal considerations.

15 Jun 1995: phone (David Allen, Frank Horvath) Frank Horvath: Mary Frances Repko talked to TJ Miller about DNR request for money from Water Resources Development Act for Fox River; trying to avoid dissension within federal family; what will it take to satisfy DOI? work on letter up the chain for a version of a letter on the subject that natural resource damage assessment team prefers.

27 Jun 1995: David Allen review options presented by Hagler Bailly proposal; talk to Frank Horvath about how to balance cost with timing and activities under the various options.

29 Jun 1995: Twin Cities, MN meeting (David Allen, Sue Kozarek) Hagler Bailly proposal for Green Bay natural resource damage assessment.

07 Jul 1995: Deputy Regional Administrator Ullrich letter to DNR about Fox River Coalition.

10 Jul 1995: Washington, D.C. meetings for 4 days: David Allen attends hearing on natural resource damage assessment for Comprehensive Environmental Response, Compensation and Liability Act reauthorization debate; David Allen hand delivers draft letter from DOI RE DNR request for money through Water Resources Development Act; David Allen meets with Mary Frances Repko and Frank Horvath about Wisconsin request for Water Resources Development Act funding; Chuck Wilson [Fort Howard lobbyist] has been pushing very hard for the Water Resources Development Act

funding; DOI support requires ability to complete natural resource damage assessment work and positions; Republicans on subcommittee skeptical about all add-ons.

25 Jul 1995: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig re-wrote letter to EPA; wants record that he tried again; Linda Holst said that Dave Ullrich reported that John Blankenship is willing to compromise on the natural resource damage assessment requirements for Fox River Coalition and Water Resources Development Act moving forward. Letter from FWS Regional Director Hartwig to Sec. Meyer about FWS/DNR cooperation.

26 Jul 1995: meeting between FWS, EPA, and DNR regarding the relative merit of Fox River Coalition and natural resource damage assessment.

27 Jul 1995: Green Bay field visit by Josh Lipton and Bob Rowe.

28 Jul 1995: meeting between DOI Office of the Secretary and Office of the Solicitor with DNR and Fort Howard regarding the relative merit of Fox River Coalition vs. natural resource damage assessment.

01 Aug 1995: phone (David Allen, Frank Horvath) Bill Hartwig is probably over-stepping his authority by meeting unilaterally with other agencies and potentially responsible party representatives without concurrence of Office of the Solicitor (and DOJ, Tribes).

02 Aug 1995: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig wants to send letters to potentially responsible party chief executive officers to invite them to talk; keep attorneys in the background.

04 Aug 1995: phone (David Allen, Shelly Hall) do not send copy of memo to Matt Richmond or Susan Schneider. Phone (David Allen, Leslie Lehnert) Lehnert agrees not appropriate for DOJ to formally comment, but letter looks good; trying to clarify DOJ/Office of the Solicitor roles soon; DOJ probably unwilling to commit more legal resources than DOI without referral; Office of the Solicitor is a black hole, bottleneck.

15 Aug 1995: phone (David Allen, Matt Richmond) Matt Richmond: DOJ met with DOI, Office of the Solicitor yesterday about Green Bay natural resource damage assessment; Ben Fisherow led frank discussion; DOI, Office of the Solicitor, Division of Conservation and Wildlife is a bottleneck, need more attention from Shelly Hall; if DOI wants to keep responsibility, FWS is going to have to accomplish most of the work; another blow-up from within FWS/DOI about delegating authorized official from DOI Secretary to FWS, Region 3, Regional Director, needs resolution. Phone (David Allen, Shelly Hall) DOI, Office of the Solicitor met with DOJ yesterday (Ben Fisherow, Susan Schneider, Matt Richmond, Leslie Lehnert, Pete Escherich, Shelly Hall) Hall wants to work through team like any other case; FWS is lead, information driven more than legal driven; Ben Fisherow admitted limited familiarity with natural resource damage assessment details; more work needed on liability case; need to be careful about sending information outside of Federal Government, also with

copying DOJ; FWS lead, use contractor as needed to accomplish work, Shelly is legal counsel, bring in DOJ on litigation matters; David Allen, Frank Horvath, and Shelly Hall lead strategies and shepherd others on the team.

16 Aug 1995: phone (David Allen, Frank Horvath) Frank Horvath: funding proposals being sent Friday with or without Shelly Hall's concurrence (bottleneck); conference call between Pete Raynor, Bill Hartwig, and Shelly Hall (Bill Hartwig did not want John Blankenship, TJ Miller, or Frank Horvath on the call); Bill Hartwig said went fine; no problems with meeting potentially responsible parties without attorneys; wants delegation from DOI Secretary; wants strategy session with whole team, including DOJ, soon; David Allen notes to Frank Horvath on draft letter from Regional Director to potentially responsible party Chief Executive Officers.

21 Aug 1995: phone (David Allen, Becky Katers) can David Allen give public presentations in Green Bay and Appleton regarding natural resource damage assessment at public meeting sponsored by Clean Water Action Council of Northeastern Wisconsin, probably on September 12 and 13, 1995?

24 Aug 1995: phone (David Allen, Frank Horvath) Frank Horvath: letter from Regional Director to potentially responsible party Chief Executive Officers will go on 29 Aug 1995; need team's calendar schedules for Bill Hartwig's strategy session. Phone (David Allen, Shelly Hall) Hall: talked to Leslie Lehnert; they both think a meeting between the Regional Director and potentially responsible party Chief Executive Officers is a bad idea; Steve Jawetz called about the funding and participation agreement negotiations.

25 Aug 1995: David Allen send materials to Frank Horvath for Bill Hartwig to read before meeting with potentially responsible party Chief Executive Officers.

30 Aug 1995: meeting between DOI and Fox River Group regarding relative merit of Fox River Coalition vs. natural resource damage assessment. Phone (David Allen, Shelly Hall) details about Mike O'Bannon meeting regarding potential funding and participation agreement. Letters from FWS Regional Director Hartwig to paper companies with invitation to meet about Green Bay natural resource damage assessment.

31 Aug 1995: David Allen send proposed case schedule and records search review to Shelly Hall; call Josh Lipton and Steve Diamond [Hagler Bailly] to set up monthly project calendar.

01 Sep 1995: review of publicly available agency documents related to natural resource damage assessment.

05 Sep 1995: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig met with George Meyer on Friday, with John Christian, John Blankenship, TJ Miller, Frank Horvath. Phone (David Allen, Leslie Lehnert, Shelly Hall) liability case development. David Allen send Green Bay information to Hagler Bailly.

12 Sep 1995: phone (David Allen, Frank Horvath) national discussion and ranking of natural resource damage assessment proposals by DOI; Green Bay receiving criticism.

15 Sep 1995: conference call (David Allen, Frank Horvath, Roger Helm, Dick Pederson of FWS, Region 1, Pete Escherich): funding for Green Bay vs. funding for Region 1 sites.

19 Sep 1995: conference call [David Allen, Josh Lipton, Hector Galbraith and many other Hagler Bailly staff] plans for upcoming meetings and information review.

28 Sep 1995: wildlife review meeting (David Allen, Ken Stromborg, Tom Custer, Chris Custer, Joe Moniot, Janet Smith, Hector Galbraith, Diana Lane).

13 Oct 1995: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig says he is meeting with potentially responsible party chief executive officers, PERIOD. No attorneys. No Menominee Indian Tribe of Wisconsin. PERIOD. Phone (David Allen, Leslie Lehnert) Lehnert: who does Bill Hartwig think he is?

16 Oct 1995: Twin Cities, MN meeting (David Allen, Frank Horvath, TJ Miller, Shelly Hall) Green Bay natural resource damage assessment.

17 Oct 1995: Twin Cities, MN meeting (David Allen, Frank Horvath, Ken Stromborg, Bill Hartwig, John Christian, TJ Miller, Janet Smith, Leslie Lehnert, and Shelly Hall) prepare presentations for internal strategy meetings; Hartwig: two prongs, natural resource damage assessment and negotiation; meeting with chief executive officers is just proof that we're trying to make negotiation track viable; need "the number" (total claim amount), can use the number to successfully negotiate.

18 Oct 1995: phone (David Allen, Leslie Lehnert) Frank Horvath and Shelly Hall need to figure out how to take charge (in the face of Bill Hartwig's influence), but it may fall to David Allen; plans and details for information requests to potentially responsible parties [Comprehensive Environmental Response, Compensation and Liability Act 104(e)].

19 Oct 1995: conference call (David Allen, Shelly Hall, Charlie Woolley, and Lisa Williams) co-trustee letters to MI? Conference call (David Allen, Frank Horvath, Shelly Hall, Janet Smith) delegation of natural resource damage assessment to FWS, Region 3, Regional Director; meeting with FWS, Region 1; MI co-trustee letters; tribal co-trustee letters; information requests; Freedom of Information Act requests and responses; funding and participation agreement; how to handle confidential business information; Bill Hartwig; Wisconsin Department of Justice. Janet Smith is showing signs of cracking or sinking. Ken Stromborg is showing signs of not caring about most of the critical details. Bill Hartwig is showing signs of misinterpreting his own authority.

24 Oct 1995: phone (David Allen, Shelly Hall) Hall: Craig O'Conner (NOAA, General Counsel, Chief) suggested privately that FWS offer apology for Green Bay natural resource damage assessment during Congressional Comprehensive Environmental Response, Compensation and Liability Act

reauthorization hearings. Phone (David Allen, Tony Giedt) Giedt will reach out to Craig O'Conner to explain the situation, and why apology is unnecessary and unwise.

26 Oct 1995: phone (David Allen, Shelly Hall) natural resource damage assessment delegation of authority from DOI Secretary to FWS, Region 3, Regional Director is complete; will fax. David Allen copy of delegation to Frank Horvath, just in time for Regional Director meeting with potentially responsible party Chief Executive Officers. Meeting (David Allen, Frank Horvath, Bill Hartwig, Janet Smith after Regional Director meeting with potentially responsible party Chief Executive Officers: delay information requests and co-trustee letters to MI. Meet with Oneida Tribe of Indians of Wisconsin. Phone (David Allen, Shelly Hall) Hall: Jamie Clark (FWS, Headquarters Assistant Director) says that we must brief the FWS Director on Green Bay natural resource damage assessment before any press releases.

27 Oct 1995: phone (David Allen, Ted Smith of DNR) DNR settled the Nemadji River natural resource damage assessment unilaterally [despite months of attempted coordination between FWS and 5 Wisconsin, and 5 divisions of DNR recommending to George Meyer that Wisconsin work with FWS on joint settlement]. Phone (David Allen, Frank Horvath) Frank Horvath: Pam Matthes, Gary Jackson (FWS, Headquarters), Shelly Hall, Frank Horvath, and David Allen to brief Mollie Beattie (FWS Director) on Green Bay natural resource damage assessment. Phone (David Allen, Josh Lipton) how to frame the natural resource damage assessment summaries.

31 Oct 1995: David Allen calls and preparation for briefing Director. Phone (David Allen, Janet Smith) Smith: Bill Hartwig says he is sending press release on Monday, PERIOD; wants "the number" right now; George Meyer said that DNR is close to a settlement with potentially responsible parties.

01 Nov 1995: Washington, D.C. briefing for the Director on Green Bay natural resource damage assessment. John Rogers (FWS Deputy Director) he and Mollie Beattie told Bill Hartwig he has to wait on press release (Frank Horvath: will one of you please tell Bill Hartwig!).

02 Nov 1995: phone (David Allen, TJ Miller) Bill Hartwig furious with Hagler Bailly; wants to fire or penalize them for lateness on "the number;" wants press release out ASAP. Phone (David Allen, Josh Lipton) Josh Lipton plan for quick response: 1) much pollution; 2) the pollution is bad; 3) people care about the pollution; 4) the pollution costs much to fix. Meeting (David Allen, Janet Smith) Smith: John Rogers is reserving judgment on press release until he sees it.

03 Nov 1995: David Allen review preliminary evaluation of injuries and damages from Hagler Bailly; distribute to entire team (Frank Horvath; Ken Stromborg; Matt Richmond; TJ Miller; John Christian; Bill Hartwig; Janet Smith; Corrine Callahan; Gary Jackson; Pam Matthes; Pete Escherich; Lisa Williams; Shelly Hall; Jeff Steuer; Tom Custer; Don Henne; Herb Nelson; Leslie Lehnert; Leslie Allen of DOJ; John Koss; Dave DeVault; Marc Tuchman; Linda Holst; Dave Garbaciak of EPA; and Tony Giedt) without carbon copy list to prevent them from being easily tracked down by Bill Hartwig.

08 Nov 1995: phone (David Allen, Janet Smith) Smith: John Christian is taking over Green Bay natural resource damage assessment for Bill Hartwig; Shelly Hall upset with Bill Hartwig because he sent Chief Executive Officer letter without Office of the Solicitor clearance or input; press release on hold until after next meeting with potentially responsible parties.

09 Nov 1995: phone (David Allen, Frank Horvath) Frank Horvath: Mary Frances Repko upset with FWS for ignoring Bruce Baker at DNR; Feingold publishes his travel schedule, so Fort Howard usually sends their lobbyists on the same flights. Meeting between DOI/Menominee Indian Tribe of Wisconsin and DNR.

13 Nov 1995: phone (David Allen, Leslie Lehnert) talked with Cherie Eggelson who thinks EPA is supportive of DNR efforts; will alert Lehnert if anything happens; need to meet with Bill Hartwig to determine some issues; filing case in 1997 is possible, but need to get ducks in a row. Phone (David Allen, Josh Lipton) updates, strategies, funding; need a meeting with the attorneys to determine some issues for the assessment, and how to involve NOAA.

15 Nov 1995: phone (David Allen, Tim Doelger) potential state settlement with Fox River Group; will alert if finds out more. David Allen note to Bill Hartwig about negotiation strategies.

16 Nov 1995: David Allen fax referral request (DOI to DOJ) to Frank Horvath, Shelly Hall, and Leslie Lehnert.

17 Nov 1995: conference call (David Allen, Frank Horvath, TJ Miller, Janet Smith, Joe Moniot) Bill Hartwig talked with George Meyer: Meyer upset that FWS would assume a unilateral settlement between DNR and Fox River Group; Meyer irritated that FWS told Congressional committees that DOI money and natural resource damage assessment efforts could help DNR with potentially responsible parties; Meyer wants to be at next meeting between DOI and potentially responsible parties; Hartwig upset with his staff for distributing the Hagler Bailly report; Hartwig upset with lack of DOI, Office of the Solicitor timeliness.

20 Nov 1995: phone (David Allen, Leslie Lehnert) we need more preparation before meetings with DNR and potentially responsible parties; MI must also be at the table. Phone (David Allen, Shelly Hall) Bill Hartwig needs to understand that there's not much more to talk about with DNR and potentially responsible parties.

21 Nov 1995: meeting (David Allen, Janet Smith) Smith: be careful not to fuel attorneys' displeasure with FWS, Region 3, Regional Director.

22 Nov 1995: David Allen send ideas for upcoming discussions with potentially responsible parties. Conference call (David Allen, Frank Horvath, Leslie Lehnert, Shelly Hall, Janet Smith, Joe Moniot) what role for John Christian? why did he decide not join call? Oneida Tribe of Indians of Wisconsin joining assessment? MI co-trustee letters? next steps with Hagler Bailly? next steps with potentially responsible parties?

29 Nov 1995: phone [David Allen, John Lindsay]: NOAA will exert jurisdiction in the Great Lakes, but still debating the extent of trusteeship. Phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig upset about release of Hagler Bailly report and status of discussions with potentially responsible parties on funding and participation agreement; “no more bull shit from attorneys”; John Christian will become more involved; Hartwig talking to George Meyer and potentially responsible party Chief Executive Officers PERIOD.

30 Nov 1995: Twin Cities, MN meetings (David Allen, Frank Horvath, Janet Smith); (David Allen, Janet Smith and Shelly Hall); (David Allen, Frank Horvath, Josh Lipton, Janet Smith, Shelly Hall, Leslie Lehnert); (David Allen, Frank Horvath, Josh Lipton, Janet Smith, Shelly Hall, Leslie Lehnert, Joan Guilefoyle, John Christian, and Bill Hartwig): prepare flip chart with bullet points for Bill Hartwig; Hartwig says that Meyer says that Wisconsin might be able to be co-trustee if no tribes; DNR making progress with potentially responsible parties, but see natural resource damage assessment as confrontation; Wisconsin will give heads up before any settlement; avoid “Prong 1” (potentially responsible parties prepare for court); “Prong 2” can proceed (natural resource damage assessment); enhance “Prong 3” (cooperative negotiations); Josh Lipton will summarize flip charts at meeting.

01 Dec 1995: Twin Cities, MN meetings (David Allen, Frank Horvath, Bill Hartwig); (David Allen, Frank Horvath, Bill Hartwig, John Christian, TJ Miller, Janet Smith, Joan Guilefoyle, Mike Lokensgard, Annette Rasche of Oneida Tribe of Indians of Wisconsin, Pat Pelke, John Koss, Frieda Bergeon, Bruce Green): discuss flip charts. Meeting (David Allen, Josh Lipton, TJ Miller) need to set up technical work groups for key elements of the assessment, particularly injury categories. Meeting (David Allen, Janet Smith) Josh Lipton happy with Green Bay Field Office; Smith unhappy with Hartwig; Marvin Moriarty (FWS, Region 3, Deputy regional director) asked how is David Allen doing? Ok? John Christian purposely put David Allen on the spot regarding report distribution so that Bill Hartwig could take action if needed. Meeting (David Allen, Bill Hartwig, John Christian, Shelly Hall, Leslie Lehnert, Janet Smith, Menominee Indian Tribe of Wisconsin representatives) debrief meetings from the day and flip charts.

04 Dec 1995: FWS Regional Director Hartwig letters to paper companies about Green Bay natural resource damage assessment negotiations.

05 Dec 1995: phone (David Allen, Josh Lipton) need to change the scope; focus on the assessment plan more; add a task at John Christian’s behest to include Josh Lipton in meetings. Phone (David Allen, Dick Pederson of FWS, Region 1) suggestions for Green Bay natural resource damage assessment on quality assurance/quality control. Phone (David Allen, Josh Lipton, Sue Kozarek, Doug Beltman) scope changes to focus on assessment plan. Phone (David Allen, Shelly Hall) Green Bay natural resource damage assessment details. Meeting (David Allen, Janet Smith) how to proceed with John Christian and 2-prong approach.

06 Dec 1995: phone (David Allen, Leslie Lehnert) Lehnert: EPA, Region 5, Office of Regional Counsel sent an email that FWS preliminary estimate is just as potentially responsible parties feared; probably Linda Holst->Roger Grimes.

11 Dec 1995: phone (David Allen, Frank Horvath) Frank Horvath: we are on a train that is one mile long, but we're in the caboose; John Christian wants the Green Bay Field Office under control.

16 Dec 1995: phone (David Allen, Frank Horvath, Janet Smith) David Allen needs to look more cooperative to the Regional Director.

08 Jan 1996: FWS, Region 3 all staff conference call: Bill Hartwig: directed reassignments and expedited process to fill vacancies.

16 Jan 1996: Sec. Mayer reply to environmental group about Fox River cleanup.

17 Jan 1996: meeting (David Allen, Frank Horvath, Josh Lipton, Janet Smith, Shelly Hall) budgets and priorities for Green Bay natural resource damage assessment. Meeting (David Allen, John Christian, Janet Smith) need to show Bill Hartwig progress on Prong 2 (cooperation); Christian may meet with Maryann Sumi and Bruce Baker. Meeting (David Allen, Frank Horvath, Josh Lipton, John Christian, Shelly Hall, Herb Nelson, Janet Smith) prepare for meeting with potentially responsible parties; Josh Lipton will give substantive presentation on funding and participation agreement. Meeting (everybody plus Bill Hartwig) delay assessment plan until after funding and participation agreement negotiations.

18 Jan 1996: meeting (David Allen, Shelly Hall) funding and participation agreement issues. Meeting with potentially responsible parties: Bill Hartwig introduction about two-pronged approach; potentially responsible parties: need to bring in other potentially responsible parties; Hartwig: send written information about other potentially responsible parties. Meeting with Bill Hartwig and rest of team: debrief; assignments. Conference call (David Allen, Frank Horvath, Charlie Woolley, Lisa Williams, John Christian, Janet Smith, Shelly Hall, and Herb Nelson) prepare to send letters to MI co-trustees.

22 Jan 1996: phone (David Allen, Shelly Hall) funding and participation agreement details.

23 Jan 1996: phone (David Allen, Linda Holst) plans for involving EPA Superfund and Office of Regional Counsel; need meetings between Val Adamkus, Dave Ullrich, and Bill Hartwig.

25 Jan 1996: phone (David Allen, Shelly Hall) Hall will send draft funding and participation agreement to David Allen on Friday; Hall talked to Roger Grimes for an hour yesterday; EPA will not endorse Fox River Coalition or natural resource damage assessment.

30 Jan 1996: David Allen review draft funding and participation agreement. Conference call (David Allen, Frank Horvath, Shelly Hall, Janet Smith, Herb Nelson, Joe Moniot) detailed review of draft funding and participation agreement.

31 Jan 1996: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig liked Charlie Wooley's briefing on Ludington settlement; wants Green Bay natural resource damage assessment to change course so more like Ludington; John Christian suggested sending Frank Horvath and David Allen to East Lansing Field Office and having Charlie Wooley run the Green Bay natural resource damage assessment; Hartwig very unhappy with Janet Smith, but happy with Charlie Wooley; Charlie Wooley says he doesn't really want Green Bay; Frank Horvath and David Allen suspect that Bill Hartwig and John Christian will be willing to adopt DNR's positions on timing and scope of cleanup in order to reach consensus; might be possible, and definitely preferable, to have Frank Horvath take over Green Bay natural resource damage assessment from the Regional Office; might also be possible for Bill Hartwig and John Christian to just run the Hagler Bailly contract and leave the rest of the team out (workable solution for David Allen and Frank Horvath but not as good as Frank Horvath running the case with the team); probably worthwhile to look for alternative positions outside of natural resource damage assessment, maybe outside of FWS. Meeting (David Allen, Ken Stromborg, Joe Moniot) last meeting with John Christian and Janet Smith: much pressure applied to Janet Smith; Smith not holding up well under the pressure.

02 Feb 1996: phone (David Allen, Linda Holst) Holst: Dave Ullrich wants to know about public participation under Prong 1 and Prong 2; discussion; endgames: file or settle or declare false victory; discussion of natural resource damage assessment action usually must follow judgment or settlement.

05 Feb 1996: meeting (David Allen, Ken Stromborg, Janet Smith) John Christian's comments on the draft funding and participation agreement; Smith: John Christian wants us to re-write the funding and participation agreement.

06 Feb 1996: phone (David Allen, John Christian) Christian: David Allen re-write the draft funding and participation agreement; Bill Hartwig agrees; must be more likely to be acceptable to the potentially responsible parties; David Allen: the team likes the funding and participation agreement as written, but small tweaks might be practical; John Christian: need to control Shelly Hall, he can help with that; talked to Bill Hartwig and Josh Lipton - both agree with new approach; Bill Hartwig talked with Maryann Sumi; John Christian meeting with Maryann Sumi next week. Phone (David Allen, Frank Horvath) Shelly Hall upset; Frank Horvath will probably try to leave the Green Bay natural resource damage assessment.

07 Feb 1996: phone (David Allen, Shelly Hall) John Christian said that Green Bay Field Office will re-write funding and participation agreement; unacceptable; Hall very upset with John Christian - naive and inexperienced; David Allen: agree, so do Frank Horvath, Ken Stromborg, and Janet Smith - John Christian naive and inexperienced; David Allen will draft something in attempt to find common ground within the team; Shelly Hall intends to confront John Christian and Bill Hartwig; may leave

the Green Bay natural resource damage assessment; David Allen: open minded about new ideas but will not take a poor position if unconvinced, regardless of popularity among managers.

08 Feb 1996: conference call (David Allen, Shelly Hall, Leslie Lehnert, and Janet Smith) funding and participation agreement escalation internally. Conference call (David Allen, Shelly Hall, Leslie Lehnert, Janet Smith, John Christian, Pete Raynor) funding and participation agreement escalation; Raynor: natural resource damage assessment is different than other FWS programs; attorneys from Office of the Solicitor and DOJ have final say on many matters; FWS managers cannot unilaterally act and cannot unilaterally discuss outside of DOI; Bill Hartwig and Pete Raynor will intervene when John Christian and Shelly Hall reach impasse; excruciatingly long discussion about the strategies and details of Prong 1 vs. Prong 2.

09 Feb 1996: Keshena, WI: DOI/Menominee Indian Tribe of Wisconsin meeting on the draft funding and participation agreement, led by John Christian.

15 Feb 1996: phone (David Allen, Leslie Lehnert) Green Bay natural resource damage assessment updates.

16 Feb 1996: conference call with DOI, Menominee Indian Tribe of Wisconsin, and Oneida Tribe of Indians of Wisconsin RE funding and participation agreement; led by John Christian.

20 Feb 1996: conference call (David Allen, Frank Horvath, Ken Stromborg, Shelly Hall, Janet Smith) Bill Hartwig and John Christian delayed the information requests to potentially responsible parties. Meeting (David Allen, Ken Stromborg, Janet Smith) John Christian is not competent to work on natural resource damage assessment; Bill Hartwig is very competent but also very impatient with almost all of the requirements of natural resource damage assessment (Prong 1). Regional Administrator Adamkus letter to Regional Director Hartwig about Concept Paper.

21 Feb 1996: meeting (David Allen, Janet Smith) Smith talked to Dave Hudak (FWS Field Supervisor, IN), Charlie Wooley, and Frank Horvath: field offices beginning to wonder if Bill Hartwig and John Christian are able to handle the natural resource damage assessment program. Phone (David Allen, Shelly Hall) Hall called Bill Hartwig and John Christian with Pete Raynor: went over information requests and funding and participation agreement.

22 Feb 1996: phone (David Allen, Shelly Hall) Pete Raynor says that Shelly Hall is Bill Hartwig's attorney on Green Bay natural resource damage assessment; Hall does not need to go through John Christian. Conference call (David Allen, Josh Lipton, Shelly Hall) funding and participation agreement details; focus on early restoration; Josh Lipton should use his influence with John Christian to show that Christian is in danger of unintentionally making the Regional Director look bad; Josh Lipton: talked to John Christian: seems like he's made up his mind about Office of the Solicitor and Green Bay Field Office; Josh Lipton has little contact with Bill Hartwig; probably need to find ways to convince Bill Hartwig directly. Conference call (David Allen, John Christian and Janet Smith) David Allen: does not make sense to become upset when inconsistencies with other sites or

potential legal issues are highlighted (better to be aware); ok, don't stop; add Josh Lipton to call: hypothetical scenarios to illustrate issues causing disagreements RE funding and participation agreement; very long discussion, with Josh Lipton and John Christian taking right past each other, but without saying anything that might upset the other (complete and total waste of time); elaborate plan of action that fails completely to resolve the fundamental issues in dispute within the team. FWS Regional Director Hartwig information requests to paper companies.

23 Feb 1996: phone (David Allen, Josh Lipton) David Allen will be following two strategies simultaneously: 1) get Prong 2 moving forward for Bill Hartwig; 2) convince Bill Hartwig that his leverage comes only from Prong 1. Conference call (David Allen, John Christian and Janet Smith) Christian concerned about trust within the team (!!!); concerned about David Allen's hand-written notes on the funding and participation agreement. Conference call (David Allen, Josh Lipton, Ken Stromborg, John Christian, Janet Smith) Christian has detailed comments on funding and participation agreement; Josh Lipton will re-draft; strict schedule must be met. John Christian and Josh Lipton proceed to re-write each other's draft several times. Call (David Allen, Shelly Hall) Hall will try to review whatever comes out of the Josh Lipton/Christian re-write sessions. Conference call (David Allen, Josh Lipton, Shelly Hall) fundamental disagreement about the utility of Prong 2 (cooperation) without Prong 1 (natural resource damage assessment); can continue to obscure the fundamental disagreement with endless discussion and re-writes, or can tackle the disagreement head-on (team may lose, but so what? at least clear where everybody stands, and let the chips fall where they may); no consensus on how to proceed, not even whether or not to clarify the disagreement (David Allen: yes; Josh Lipton: wait and see).

26 Feb 1996: Chicago, IL: Green Bay natural resource damage assessment wildlife injury meeting (David Allen, Ken Stromborg, Mike Meyer, Ian Nisbit, Ken Stromborg, Hector Galbraith, Pat Pelke, Tom Nelson, Lisa Williams, Bill Bowerman, Tim Kubiak, Tom Custer) detailed review of literature and potential assessment strategies.

28 Feb 1996: Milwaukee, WI meeting (David Allen, John Christian and Shelly Hall) funding and participation agreement. Co-trustee meeting: funding and participation agreement discussion: Bill Hartwig: "I have extensive experience!" (wrong kind); This is no more difficult! (already knew about your confidence). More talking past each other without resolving the utility of Prong 2 to Prong 1.

01 Mar 1996: conference call (David Allen, Josh Lipton, Ken Stromborg, Frank Horvath, Lisa Williams, Dave Best, Steve Diamond, Doug Beltman, Diana Lane, TJ Miller, Mark Holey, and others) fish injury literature and potential assessment strategies.

05 Mar 1996: scoping issues for the funding and participation agreement; separate calls with Josh Lipton, Shelly Hall, and Leslie Lehnert.

06 Mar 1996: conference call (David Allen, Ken Stromborg, Josh Lipton, Hector Galbraith, Ian Nesbitt) wildlife injuries: literature and assessment strategies.

15 Mar 1996: David Allen interviews with John Christian for the Refuge Manager position at the Ottawa National Wildlife Refuge.

19 Mar 1996: phone (David Allen, Leslie Lehnert) no word from Shelly Hall; updates.

21 Mar 1996: David Allen edit draft funding and participation agreement for Shelly Hall.

22 Mar 1996: phone (David Allen, Shelly Hall) Bill Hartwig and John Christian want to delay information requests to potentially responsible parties again; Steve Jawetz wants more time for process. Phone (David Allen, Josh Lipton) discussion about assessment timeline.

01 Apr 1996: phone (David Allen, Frank Horvath) potentially responsible parties sent a draft funding and participation agreement. Phone (David Allen, Shelly Hall) the potentially responsible parties sent a funding and participation agreement.

04 Apr 1996: DOI/Menominee Indian Tribe of Wisconsin/Oneida Tribe of Indians of Wisconsin conference call on potentially responsible party funding and participation agreement.

09 Apr 1996: David Allen organize details for a co-trustee Green Bay natural resource damage assessment Summit. Phone (David Allen, Frank Horvath) the current funding and participation agreement and continuing discussions about it are a waste of time; major funding for Green Bay natural resource damage assessment approved by DOI. Phone (David Allen; Leslie Lehnert) need to bring Regional Office on board before the Summit; need to have Office of the Solicitor invite DOJ to the summit; John Christian trying to reprogram the Green Bay natural resource damage assessment money - he won't be able to, but illustration of the difficulty of reaching internal consensus.

10 Apr 1996: conference call (David Allen, Josh Lipton, Shelly Hall, Janet Smith) funding and participation agreement; Hagler Bailly progress on assessment plan; economics probably will be related to contingent valuation method, but not straight contingent valuation method - economic evidence justifying restoration costs (idea that leads to total value equivalency); Green Bay natural resource damage assessment Summit; assessment phase schedule. Conference call (David Allen, Shelly Hall, Janet Smith, Kris Goodwill, Mike Lokensgard, Pat Pelky, John Koss, Herb Nelson): funding and participation agreement; assessment plan.

12 Apr 1996: phone (David Allen, John Christian) Christian: supports assessment plan schedule; think about how much management support is needed for the Green Bay natural resource damage assessment; might be able to increase Green Bay Fishery Resources Office and Fisheries Division efforts; David Allen in top group for Ottawa National Wildlife Refuge position. Phone (David Allen, Frank Horvath) Frank Horvath: told John Christian that the current funding and participation agreement is a waste of time; Christian briefing Bill Hartwig today. Phone (David Allen, Josh Lipton) two economists at Summit; priority to realistically describe injuries for the economics work.

15 Apr 1996: phone (David Allen, Frank Horvath) Frank Horvath: met with Bill Hartwig and John Christian: revise funding and participation agreement again (they are unhappy with Shelly Hall and her latest version; not waiting for her to get it right); discussed settlement strategies; Frank Horvath and David Allen: time to break loose the assessment phase and apply the funding that is hand. Phone (David Allen, Bob Rowe) Rowe: two economist to Summit (Rich Bishop and Mike Welsh); two economics studies likely: recreational fishing and contingent valuation-style for all values; need to make sure we talk with Tribes about how best to incorporate tribal values. Phone (David Allen, Frank Horvath, Shelly Hall) funding and participation agreement.

16 Apr 1996: phone (David Allen, John Christian, Janet Smith) funding and participation agreement.

17 Apr 1996: phone (David Allen, Josh Lipton) Josh Lipton: David Allen should moderate and control discussions at Summit; prevent unnecessary side bars; segregate experts from liability discussions and legal strategies; coalesce discussions on prioritization for the actual assessment.

23 Apr 1996: FWS and Oneida Tribe of Indians of Wisconsin: pre-Summit meeting. Trustee pre-Summit meeting without consultants or experts.

24 Apr 1996: meeting (David Allen, Ken Stromborg) long discussion of how Green Bay natural resource damage assessment must operate in ways distinct from pure research (primarily, segregation of discussions about scientific information from discussions about legal strategies). Meeting (David Allen, Shelly Hall, Leslie Lehnert) legal issues; need referral from DOI to DOJ; meeting with Bunker Hill/Coeur D'Alene team. Meeting (David Allen, Shelly Hall) liability case; EPA involvement; how to resolve Hall's overextension and workload. Phone (David Allen, Bob Rowe) specifics for Monday meeting. Phone (David Allen, Josh Lipton) assessment details and adjustments. Phone (David Allen, Tom Nelson) Oneida evaluating trusteeship.

25 Apr 1996: meeting (David Allen, Janet Smith, Jackie DeGreef) budget for Green Bay natural resource damage assessment; staffing. Phone (David Allen, Steve Diamond) sturgeon collections in field; scheduling.

26 Apr 1996: phone (David Allen, Shelly Hall) David Mandelbaum sent letter and called; P.H. Glatfelter is analyzing 53 boxes of documents for information request response; interviewing two dozen people; need more time; Bill Brighton worried about economics emphasis at Bunker Hill; irritated about amount of DOJ travel to Green Bay. David Allen call Leslie Lehnert and Frank Horvath, separately: everybody better weigh in right now because the full assessment is about to start! Call (David Allen, Susan Schneider, Leslie Lehnert) friction between DOJ, Environmental Enforcement Section and DOI, Office of the Solicitor, Division of Conservation and Wildlife coming to a head; decisions about how much effort DOJ will expend, particularly without a referral, soon; David Allen: better decide and weigh in soon because full assessment is about to start!

29 Apr 1996: FWS/Oneida Tribe of Indians of Wisconsin meeting about economics strategies and assessment plan.

30 Apr 1996: phone (David Allen, Shelly Hall) economics strategies; liability case; EPA; Tribes; schedules. Phone (David Allen, Frank Horvath) updates; Summit; Bunker Hill/Coer D'Alene meeting; budget. Phone (David Allen, Leslie Lehnert) DOJ likely to become more involved in Green Bay, including increased scrutiny; David Allen: wonderful! Phone (David Allen, Shelly Hall) call from Leslie Lehnert, worried about FWS, Region 3, Regional Director; budgets. Phone (David Allen, Leslie Lehnert) assessment plan; Hagler Bailly reports. Phone (David Allen, Frank Horvath) DOJ meeting with FWS, Region 3, Regional Director soon.

02 May 1996: phone (David Allen, Frank Horvath) Ben Fisherow and Bill Hartwig talking directly soon. Phone (David Allen, Shelly Hall) preparations for call/meeting between FWS, Region 3, Office of the Solicitor, Division of Conservation and Wildlife, and DOJ, Environmental Enforcement Section; initial call between Shelly Hall, Leslie Lehnert, and Susan Schneider did not go well. Conference call (David Allen, Frank Horvath, Shelly Hall, Leslie Lehnert, Susan Schneider) upcoming meeting between FWS, Region 3, DOI, Office of the Solicitor, Division of Conservation and Wildlife, and DOJ, Environmental Enforcement Section; Summit. Conference call (David Allen, Leslie Lehnert, Susan Schneider) details on how to build the liability case; DOJ will bring in Gary Amendola to help FWS and DOJ; analysis of federally-permitted release issue complete - not fatal (David Allen can read it); discussion about Fort Howard; Ben Fisherow trying to determine how best to move forward with the case (without referral and without EPA).

03 May 1996: conference call between FWS Region 3, DOI Office of the Solicitor Division of Conservation and Wildlife, and DOJ Environmental Enforcement Section: economics; liability. Phone (David Allen, Don Henne) friction mounting between DOJ Environmental Enforcement Section and DOI Office of the Solicitor Division of Conservation and Wildlife.

07 May 1996: information request responses include confidential business information; David Allen: buy safe and organize segregated files.

10 May 1996: phone (David Allen, Josh Lipton) budget; scope; schedule; calls; probably a good idea to involve Josh Lipton in discussions with Dick Pederson and Roger Helms. Conference call (David Allen, Frank Horvath, Josh Lipton, Shelly Hall, Bob Rowe) Prong 1 and Prong 2; assessment plan; Pete Raynor and Ben Fisherow met: DOI builds the case; DOJ not decision-maker until referral; substantive details for assessment plan and Summit. Phone (David Allen, Leslie Lehnert) agenda for Portland, OR trip; Shelly Hall said not to call David Allen.

14 May 1996: phone (David Allen, Shelly Hall) Pete Raynor unhappy with coordination between DOJ Environmental Enforcement Section and DOI Office of the Solicitor Division of Conservation and Wildlife; he will call Ben Fisherow; agenda for Portland, OR. Phone (David Allen, Leslie Lehnert) fish; Clean Water Act; upcoming meeting between Ben Fisherow and Pete Raynor.

15 May 1996: phone (David Allen, Shelly Hall) Portland, OR; funding and participation agreement. Phone (David Allen, Leslie Lehnert) Portland, OR; Pete Raynor not coming to meeting between FWS

Region 3, DOI Office of the Solicitor Division of Conservation and Wildlife, and DOJ Environmental Enforcement Section; chance to really make some changes moving forward.

16 May 1996: phone (David Allen, Roger Helm, Dick Pedersen) Portland, OR trip.

17 May 1996: Twin Cities, MN meeting (David Allen, Josh Lipton, Frank Horvath, Ben Fisherow, Susan Schneider, Leslie Lehnert, Bill Hartwig, John Christian, Shelly Hall, Janet Smith, Bob Rowe) presentations by David Allen, Josh Lipton, Bob Rowe, Shelly Hall; David Allen: need to brief FWS Director, need realistic dates for assessment plan; Hall: funding and participation agreement, information request response extensions; Fisherow: Office of the Solicitor/DOJ discussions followed by attorney/agency discussions, DOJ will assign people especially for liability case; Fisherow, Christian, Hartwig will meet with EPA; Hartwig: will meet with Chief Executive Officers; Fisherow: fine to build relationships but judicial consent decrees can only be signed by DOJ. Meeting (David Allen and Josh Lipton) probably workable if can keep Hartwig in the settlement discussions instead of Christian.

21 May 1996: Portland, OR meeting [David Allen, Shelly Hall, Leslie Lehnert, Dick Pedersen, Roger Helm, Don Steffack (FWS, Region 1), Barry Stein]: extensive discussion about Green Bay natural resource damage assessment.

22 May 1996: Portland, OR meeting (same people) extensive discussion about Coeur D'Alene natural resource damage assessment, quality assurance/quality control, economics, restoration planning, budgets.

23 May 1996: David Allen recommendation to Frank Horvath, Shelly Hall, Leslie Lehnert: Frank Horvath as Case Manager (50%) with authority over budget and contracting and direct line authority over staff; David Allen report to Frank Horvath; Regional Director concurrence, including as direct line from Frank Horvath to Hartwig as practical; FWS work directly with DOJ on liability case; DOJ in charge of liability case (Shelly Hall can help as time permits); focus cooperative track on restoration planning; put the assessment in full gear and drive forward.

28 May 1996: David Allen meetings with Ken Stromborg and Janet Smith about Portland meeting and results. Phone (David Allen, Josh Lipton) timing issues for the assessment: focus on pathway this year, delay fish biomarker study, lake trout study in pieces. Phone (David Allen, Maureen Katz) attorneys want to come to Green Bay to look at files (Maureen Katz, Elliott Rockler, Leslie Lehnert, Matt Richmond, David McIlwain).

29 May 1996: phone (David Allen, Frank Horvath) Frank Horvath talked with Bill Hartwig for an hour about Green Bay natural resource damage assessment case management: Hartwig wants Frank Horvath to run the natural resource damage assessment, John Christian to run the restoration committee; not clear how to avoid conflicts between Frank Horvath and John Christian; assessment plan strategies; DOJ involvement; Portland, OR meeting. Meeting (David Allen, Janet Smith) David Allen: case management changes likely coming.

30 May 1996: meeting (David Allen, Josh Lipton, Janet Smith) Josh Lipton: called Rachel Jacobson (DOJ, Environmental Enforcement Section in Bill Brighton's section) about working on Green Bay natural resource damage assessment, even though in Ben Fisherow's section (David Allen and Matt Richmond made some calls also, which caused unnecessary ill will with Susan Schneider, and probably others in DOJ) assessment plan; project management.

31 May 1996: phone (David Allen, Susan Schneider) case management; legal team; assessment plan; Rachel Jacobson; Frank Horvath; Shelly Hall; statute of limitations; filing the case; time vs. area vs. \$; Hartwig and Fisherow will meet soon; segregation of testifying experts from consulting experts and governmental managers; John Christian (need help controlling him from Frank Horvath, Regional Director, and attorneys); Tribes and memorandum of understandings and tribal attorneys; DOJ trip to Green Bay; liability case; document review; politics; EPA; Bill Hartwig; forum shopping (case needs to speak with one voice).

04 Jun 1996: meeting (David Allen, Janet Smith) Smith: Regional Director reassigned David Allen and Joe Moniot to Frank Horvath; David Allen, Frank Horvath, Joe Moniot 100% on Green Bay natural resource damage assessment. Phone (David Allen, Shelly Hall) Frank Horvath Case Manager; response to PH Glatfelter request for extension on information request response; Bill Hartwig and Pete Raynor talked - meeting soon; Freedom of Information Act; confidential business information; assessment area vs. \$ vs. timing; statute of limitations.

05 Jun 1996: phone (David Allen, Dave McIlwain) documents; administration; information request responses; recommends a reading room; also consider electronic scanning (but expensive). Phone (David Allen, Frank Horvath, Shelly Hall) Frank Horvath will keep John Christian out of the way; Bill Hartwig says he will rely directly on Frank Horvath for the Green Bay natural resource damage assessment; Bill Hartwig is escalating discussions with Chief Executive Officers (but he has low expectations), DNR, and EPA; Janet Smith will have very limited role; Ken Stromborg will also be limited to injury work; never send any deadline dates or proposed dates to Bill Hartwig; strategy for identifying additional potentially responsible parties; statute of limitations; Freedom of Information Act; David Allen will travel to Regional Office often; Frank Horvath and David Allen in direct contact every day; need help from Ken Stromborg, Mark Holey, Lisa Williams, Dick Pedersen on injury case; Frank Horvath: Bill Hartwig and John Christian think David Allen is more loyal to case than FWS; Frank Horvath thinks (and told Hartwig/Christian) that David Allen more loyal to FWS mission than FWS bureaucracy. Phone (David Allen, Don Tillitt) lake trout study with Hagler Bailly, trying to decide how involved to become. Phone (David Allen, Josh Lipton) case management; lake trout study; Green Bay site visit; Rachel Jacobson; economics in assessment plan or not?

06 Jun 1996: meeting (David Allen, Mark Holey) Green Bay Fishery Resources Office involved in fish studies for Green Bay natural resource damage assessment? Cautious yes.

07 Jun 1996: meeting (David Allen, Joel Trick) Trick involvement in Green Bay natural resource damage assessment injury work? Yes. Phone (David Allen, Lisa Williams) Williams involved in Green

Bay natural resource damage assessment injury work? Behind scenes probably to avoid ongoing competitive arguments between field offices, as well as historical animosity between researchers on birds/PCBs from MI side vs. WI side of Lake Michigan; Good enough. Phone (David Allen, Hector Galbraith) how to have input on regular publications from FWS that are related to the Green Bay natural resource damage assessment? Meeting (David Allen, Ken Stromborg) will make reasonable efforts to coordinate regular FWS publications on injury that are related to Green Bay natural resource damage assessment; mainly a chance for communication, rather than control; even on studies funded by Green Bay natural resource damage assessment, must avoid actual, as well as appearance of, trying to influence results; Green Bay natural resource damage assessment, David Allen, and Ken Stromborg already share conservative approach (do not try to find positive results; rather try to test hypotheses), so reasonable coordination should be practical, even if difficult at times. Phone (David Allen, Frank Horvath) Frank Horvath: need Ken Stromborg to be more circumspect about criticism of PCB injury research (stemming from historical animosity between MI and WI sides of Lake Michigan on PCB/cormorant work); David Allen: need Ken Stromborg perspective to help prevent scientific advocacy, but agree that Ken Stromborg should be more careful about style and emotion, particularly when writing.

10 Jun 1996: David Allen review draft assessment plan from Hagler Bailly. Phone (David Allen, Josh Lipton) 3-year plan for the assessment. Phone (David Allen, Maureen Katz) 6 attorneys coming for the document review; plans.

11 Jun 1996: meeting in Green Bay, WI (David Allen, Frank Horvath, Josh Lipton) assessment plans. Meeting in Green Bay, WI (David Allen, Frank Horvath, Ken Stromborg, Josh Lipton, Maureen Katz, Leslie Lehnert, Elliott Rockler, Dave McIlwain, Shelly Hall, Joe Moniot) assessment plans; liability case; documents.

12 Jun 1996: meeting in Green Bay, WI (David Allen, Frank Horvath, Joe Moniot, Shelly Hall, Leslie Lehnert, Maureen Katz) field trip; decision on reading room development.

12 Jun 1996: phone (David Allen, John Christian) Christian: how's everything? Good luck. Meeting (David Allen, Ken Stromborg) David Allen must go to U.S. Coast Guard drill in Milwaukee; David Allen: absolutely not; take it up with Frank Horvath (tense couple of weeks). Meeting (David Allen, Joe Moniot) plans for the reading room; Joe Moniot responsible for running it smoothly, including tedious mechanics and thoughtful document control; David Allen and Joe Moniot work together on initial document classification; file cabinets, safe, segregation by Freedom of Information Act and confidential business information classification, relational databases linked together. Phone (David Allen, Frank Horvath) details; Frank Horvath and Ken Stromborg had a long talk.

14 Jun 1996: phone (David Allen, Shelly Hall) details; DOJ will hire Gary Amendola to help with file review and additional information requests.

18 Jun 1996: phone (David Allen, Frank Horvath) Frank Horvath: long conversation with Bill Hartwig about assessment plan, negotiations, leverage, filing, etc.; David Allen, Frank Horvath, and Bill Hartwig appear to be mostly on the same page at this point.

19 Jun 1996: phone (David Allen, Don Tillitt) budget for lake trout study. Phone (David Allen, Leslie Lehnert) DOJ meeting with Regional Director (Fisherow will contact EPA Region 5 again; Bill Hartwig ideas on settlement, but showing awareness of current limitation of opportunities).

24 Jun 1996: Twin Cities, MN meeting (David Allen, Frank Horvath) details; rescheduling of meetings between FWS, DOI, DOJ.

26 Jun 1996: meeting (David Allen, Ken Stromborg) how the Green Bay natural resource damage assessment should engage with the Science and Technical Advisory Committee. Phone (David Allen, Matt Richmond) Matt Richmond: DOJ officially on board for Green Bay natural resource damage assessment; Green Bay natural resource damage assessment team now looks in great shape; need to work on engaging elected officials. Meeting in Washington, D.C. with FWS Region 3, DOI Office of the Solicitor Division of Conservation and Wildlife, DOJ Environmental Enforcement Section, Hagler Bailly, and Gary Amendola: PCB release theory; recognizing PCB releases in the files; de-inking process; National Cash Register paper; total PCBs; Aroclor 1242; congeners; National Pollutant Discharge Elimination System; production rates and types at de-inking facilities; relevant PCB release literature (especially EPA/Versar 1976); PCB effects on fish and wildlife; file organization; reading room.

27 Jun 1996: Washington, D.C. meeting continued between FWS Region 3, DOI Office of the Solicitor Division of Conservation and Wildlife, DOJ Environmental Enforcement Section, Hagler Bailly, and Gary Amendola: case management; legal issues; PCB release; PCB pathway; PCB toxicity.

02 Jul 1996: Boulder, CO meeting [David Allen, Hagler Bailly] revised scope of work; plan and schedule litigation and evidence meeting with FWS, DOJ, and Hagler Bailly; case management and structure.

11 Jul 1996: phone David Allen, Joan Goldfarb) Goldfarb added to Green Bay natural resource damage assessment to help with work load. Meeting (David Allen, Frank Horvath, Sue Kozarek, Dan Sparks of FWS, Region 3, Bloomington Field Office) 1996 fiscal year commitments; call with DOJ, Environmental Enforcement Section: Ben Fisherow, Val Adamkus, Mike Smith (EPA, Region 5, Office of Regional Counsel), Dave Ullrich having call or meeting; DOJ will let us know about whether EPA more willing to join Green Bay case; Maureen Katz making a sequence chart for Green Bay natural resource damage assessment for the legal team; assessment plan comments; document review. Meeting (David Allen, Frank Horvath, Dan Sparks, Shelly Hall) updates; NOAA involvement in Great Lakes, particularly Green Bay.

12 Jul 1996: David Allen review budget proposal from Ken Stromborg for field work related to Green Bay natural resource damage assessment; prepare flip chart for Frank Horvath review.

15 Jul 1996: phone (David Allen, Frank Horvath) Frank Horvath: Shelly Hall upset with Hagler Bailly for not referencing later DOI regulation version; budgets; details.

16 Jul 1996: phone (David Allen, Mark Reimer) reading room: either now before complete, or wait until August 16 for complete; probably both.

18 Jul 1996: phone (David Allen, Elliott Rockler) Kennecott decision could affect analysis of statute of limitations. Meeting [David Allen, Ken Stromborg, Jackie DeGreef of FWS, Green Bay Field Office), Janet Smith] budgets for coming year.

19 Jul 1996: phone (David Allen, Shelly Hall) assessment plan comments; Federal Register notice comments; statute of limitations. Phone (David Allen, Steve Diamond) Hagler Bailly budgets; Phone (David Allen, Matt Richmond) updates; questions, details, statute of limitations. Phone (David Allen, Maureen Katz) updates; maps of PCB deposits. Phone (David Allen, Frank Horvath) budgets and proposals; Kennecott decision; John Christian says that Maryann Sumi wants to meet.

05 Aug 1996: phone (David Allen, Frank Horvath, Shelly Hall) reading room procedures and schedule for opening; John Christian says that Maryann Sumi wants to meet about new potential cooperative arrangement between FWS, DNR, potentially responsible parties - Fort Howard hired Entrix for natural resource damage assessment; must intensify assessment plan momentum and scheduling immediately (David Allen, Frank Horvath, Shelly Hall); how to coordinate Green Bay natural resource damage assessment with regular scientific conference papers (upcoming Society of Environmental Chemistry and Toxicology conference has several papers relevant to natural resource damage assessment, including by DOI staff); Kennecott decision; statute of limitations; iron out misunderstandings between DOJ Environmental Enforcement Section, DOI Office of the Solicitor Division of Conservation and Wildlife, FWS Region 3, and FWS Green Bay Field Office about reading room, document originals, document copies, and schedule for access to reading room.

07 Aug 1996: phone (David Allen, Linda Holst) after meeting between EPA, Region 5 and Ben Fisherow, EPA sent an internal memo claiming: 1) DOI Federal Register notice on Green Bay natural resource damage assessment is imminent; 2) Federal Register notice will include a claim of \$400 million - \$1 billion; 3) as matter of law, EPA must take position on the Federal Register notice; 4) Fisherow would like to see support for DOI from sister agency; 5) DOI/DOJ will file Green Bay natural resource damages case in March 1997; David Allen explained that most of that is hyperbole: no claim is being filed, rather an assessment plan (plan of action to evaluate the site); Holst already on same page; Fox River Coalition meeting - non-governmental organizations furious because six months has resulted in nothing but model calibrations and a few model data developments, no progress on cleanup decisions, threats about involving more press in Fox River Coalition meetings; Science and Technical Advisory Committee meeting: Al Toma and Skip Missmer furious over endpoints being used in risk analysis - threats to leave Fox River Coalition unless less stringent endpoints used.

08 Aug 1996: phone (David Allen, Frank Horvath) Bill Hartwig, Ben Fisherow, and Pete Raynor agreed to a schedule for assessment plan Federal Register notice; Josh Lipton will send materials via Federal Express; Maureen Katz re-drafted Federal Register notice, so review quickly.

14 Aug 1996: phone (David Allen, Frank Horvath, Shelly Hall) how to deal with comments on assessment plan from Steve Lynscheid, which are detailed, last minute, and particularly narrow and unhelpful (dealing primarily with an esoteric view of how to segregate restoration planning from economic valuation).

15 Aug 1996: Twin Cities, MN: series of calls by David Allen and Frank Horvath to Bob Rowe, Shelly Hall, Bruce Peacock (DOI economist), Joan Goldfarb, and Shelly Hall about how to handle restoration planning and economic valuation in the assessment plan.

16 Aug 1996: Twin Cities, MN: series of calls and meetings leading to revised assessment plan.

20 Aug 1996: FWS Regional Director letter to Sec. Meyer with assessment plan.

21 Aug 1996: phone (David Allen, Steve Diamond) Diamond: Doug Beltman will take Hagler Bailly lead at September litigation seminar between FWS, DOI, DOJ, and Hagler Bailly; assessment plan; assessment details.

27 Aug 1996: phone (David Allen, Matt Richmond) DOJ, Environmental Enforcement Section reports green light from EPA. Phone (David Allen, Linda Holst) EPA joining Green Bay; Bill Munro talked to George Meyer about possibility of Comprehensive Environmental Response, Compensation and Liability Act administrative order authority, and Meyer was supportive; Roger Grimes assigned from Office of Regional Counsel; Jim Hahnenberg assigned from Superfund. David Allen left detailed phone messages for Roger Grimes and Jim Hahnenberg.

28 Aug 1996: phone (David Allen, Shelly Hall) Freedom of Information Act response, how to include Hagler Bailly files; Vaughn Index; Hall: Ben Fisherow told Pete Raynor that EPA is participating in Green Bay without listing the site on the National Priorities List. David Allen calls to Wayne Schmidt, Bret Hulsey, Becky Katers, Steve Jaeger, and Lake Michigan Federation about assessment plan.

Aug 1996: Green Bay natural resource damage assessment Assessment Plan to Federal Register notice.

03 Sep 1996: phone (David Allen, Jim Hahnenberg) details; plans. Phone (David Allen, John Koss) assessment plan.

04 Sep 1996: phone (David Allen, Steve Diamond) have bids from two chemistry labs; Doug Beltman will audit; arrangements for freezers in Green Bay for samples. David Allen calls to Frank Horvath, Matt Richmond, Josh Lipton about September litigation seminar for Green Bay natural resource damage assessment. Phone (David Allen, Frank Horvath) Frank Horvath: had meeting with Frank

Horvath, John Christian, Bruce Baker, and Maryann Sumi on Aug 27: DNR will comment on assessment plan.

05 Sep 1996: phone (David Allen, Frank Horvath) Frank Horvath: David Allen take lead on agenda for litigation seminar; DOJ first, then Hagler Bailly, then DOI [Frank Horvath will call Mary Morton (DOI, Office of the Solicitor) and Steve Lynscheid]. Phone (David Allen, Rich Bishop) Bishop: Bob Rowe wants procedure to keep David Allen in economics loop; David Allen and Rich Bishop will phone every other Friday. Phone (David Allen, Maureen Katz) add Hagler Bailly to agenda on practical field work for a case; also expert witness experience.

Us fish and wildlife service

11 Sep 1996: phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig and John Christian meeting with potentially responsible parties without Frank Horvath.

13 Sep 1996: phone (David Allen, Rich Bishop) lining up the economics team: John Stoll (local), Edward Morey (U. of Colorado at Boulder), Vic Adamowicz (Canada), Don Dillman (survey work); conjoint analysis, similarities to contingent valuation method, but allows direct trading of various attributes, not just money; recreational fishing study; evaluation of Hmong subsistence fishing; total value study.

19 Sep 1996: phone [David Allen, Brian Arhin (Appleton News Chronicle)]: assessment plan; what's next?

24 - 26 Sep 1996: Twin Cities, MN: litigation seminar for Green Bay natural resource damage assessment with FWS Region 3, DOI Office of the Solicitor Division of Conservation and Wildlife, DOJ Environmental Enforcement Section, and Assistant U.S. Attorney; theory of the case.

01 Oct 1996: phone (David Allen, Maureen Katz) seminar; anadromous fish; files.

02 Oct 1996: phone (David Allen, Rich Bishop, Bob Rowe, Mike Welsh) strategy for recreational fishing study.

03 Oct 1996: phone (David Allen, Maureen Katz) Katz: Gary Amendola wants to spend day with David Allen in Green Bay, then day with DOJ in Washington, D.C.; expect call from Amendola. Meeting (David Allen, Ken Stromborg, Joe Moniot, Pat ?) procedures for quality assurance/quality control and chain of custody for Green Bay natural resource damage assessment fish samples. Meeting (David Allen, Ken Stromborg, Joe Moniot, Terry Anderson, Susan Campbell) FWS, Green Bay Field Office functions; history of the Green Bay natural resource damage assessment.

07 Oct 1996: phone (David Allen, Mark Holey, Doug Beltman, Steve Diamond) handling of fish sample for Green Bay natural resource damage assessment and other studies.

09 Oct 1996: calls (David Allen, Mark Holey, Doug Beltman, Don Tillitt) work out issues regarding sampling.

10 Oct 1996: Washington, D.C.: meeting (David Allen, Josh Lipton, Rachel Jacobson) need to facilitate more discussion between technical team and legal team. Meeting (David Allen, Susan Schneider, Maureen Katz, Elliott Rockler, Matt Richmond by phone) technical discussions about the substance of the assessment; need to facilitate more communication between technical team and legal team; Shelly Hall furious about meeting. Meeting (David Allen, Frank Horvath) DOI approved \$1.8 million for Green Bay natural resource damage assessment, 1st priority in U.S.; very bloody knife fight though; how to handle Shelly Hall resistance to appropriate level of discussion between technical team and legal team.

11 Oct 1996: Washington, D.C. meetings (David Allen, Frank Horvath), (David Allen, Frank Horvath, Shelly Hall, Joan Goldfarb), (David Allen, Frank Horvath, Shelly Hall, Joan Goldfarb, Linda Holst, Roger Grimes, Jim Hahnenberg, Doug Dixon of EPA, Susan Schneider, Matt Richmond, Elliott Rockler, Ben Fisherow, Maureen Katz) very lengthy and substantive discussion about unilateral orders by EPA or EPA and DOI to force cleanup by potentially responsible parties; possibility of tapping the Superfund but cautious about National Priorities List listing; maybe Deposit A and P.H. Glatfelter; maybe downstream sites; Grimes: best meeting in a long time. Phone (David Allen, Ken Stromborg) updates. N

14 Oct 1996: phone (David Allen, Don Tillitt) statistical design for the lake trout egg injection study.

15 Oct 1996: meeting (David Allen, Mark Holey) tension between Don Tillitt and Hagler Bailly about experimental design, documentation, and implementation; streamline Hagler Bailly contact; conference call between Hagler Bailly, Mark Holey, maybe other investigators.

16 Oct 1996: conference call (David Allen, Matt Richmond, Josh Lipton, David Glazer, Ross Norstrom, Steve Diamond, Brian Edy, Steve Eisenreich, Doug Beltman): technical approaches for establishing PCB pathways for Green Bay natural resource damage assessment.

21 Oct 1996: phone (David Allen, Gary Amendola) files; meeting schedule.

22 Oct 1996: phone (David Allen, Josh Lipton) assemble team for lab selection decision.

23 Oct 1996: phone (David Allen, Josh Lipton) Josh Lipton: Doug Beltman suspects that Don Tillitt is running a study parallel to the one being done for the natural resource damage assessment; Don Tillitt is creating communication trails via email that include study decisions without input from Hagler Bailly. Phone (David Allen, Joan Goldfarb, Shelly Hall) Cynthia Hirsch at WI DOJ called Frank Horvath about Green Bay natural resource damage assessment; document review.

24 Oct 1996: phone (David Allen, Frank Horvath) David Allen and Frank Horvath will visit Don Tillitt at his lab in Columbia, MO; EPA is moving forward with Comprehensive Environmental Response, Compensation and Liability Act Section 106 orders for Fox River; meeting yesterday between John Blankenship, John Christian, Ben Fisherow, and Dave Ullrich; need legal team

assignments on bird injury, fish injury, mammal injury, pathway, damages. Phone (David Allen, Josh Lipton, Doug Beltman, William Walsh) William Walsh needs to go to New York to help Honeyfield and other principal investigators with chain of custody and sample handling for natural resource damage assessment; issues to work out between Hagler Bailly and Don Tillitt.

04 Nov 1996: phone (David Allen, Susan Campbell) Susan Campbell doing a story on the Green Bay assessment plan after the election.

05 Nov 1996: phone (David Allen, Matt Richmond) review of retroactive liability case law.

07 Nov 1996: Columbia, MO: meeting [David Allen, Frank Horvath, Colette Charbonneau (FWS, Region 3), Don Tillitt, Susan Schneider (by phone)] about lake trout study, coordination issues, role of principal investigator, need for follow-up meeting on legal issues that impact studies (e.g., chain of custody, evidentiary requirements, etc.).

08 Nov 1996: phone (David Allen, Jim Hahnenberg) Jim Hahnenberg: current plan after meeting between EPA and DOJ is to ask potentially responsible parties to perform an ecological assessment of Fox River; if potentially responsible parties refuse, then EPA will issue orders under Comprehensive Environmental Response, Compensation and Liability Act Section 106; EPA needs help figuring out how to work with DNR; Gary Amendola involved for DOJ; David Allen: history of Deposit A negotiations and results. Phone (David Allen, Gary Amendola) looking through FWS files; want to meet with DNR (David Allen gave DNR contacts: Jeff Steuer, Dale Patterson, Steve Jaeger, Bob Paulson, Chuck Hammers); Maureen Katz concerned about protocol for contacting DNR, given EPA involvement; David Allen: probably need to make contacts with DNR while EPA comes up to speed about the site. Meeting (David Allen, Mark Holey) lake trout study details; coordination issues with Hagler Bailly; need more samples. Conference call (David Allen, Frank Horvath, Don Tillitt, Doug Beltman, Michael Anderson) Don Tillitt upset that Hagler Bailly unilaterally changed treatment levels in the experiment; discussion of roles and responsibilities. Meeting (David Allen, Frank Horvath, Mark Holey) Don Tillitt is the lead as principal investigator; need to determine how to coordinate principal investigator and Hagler Bailly.

12 Nov 1996: call (David Allen, Josh Lipton, Doug Beltman) lake trout coordination: Don Tillitt is lead as principal investigator, but FWS needs Hagler Bailly to stay on top of the details; if conflicts, FWS will settle them between principal investigator and Hagler Bailly; pathway approaches; lab selection; attorney assignments for elements of the assessment; tasks for next year; risk assessment. Phone (David Allen, Shelly Hall) Shelly Hall: meeting with Bill Hartwig because of meeting between Bill Hartwig, Ben Fisherow, and Dave Ullrich; coordination issues between FWS Region 3 and Office of the Solicitor Division of Conservation and Wildlife; Freedom of Information Act responses; EPA updates; Don Tillitt updates.

13 Nov 1996: phone (David Allen, Rich Bishop, Mike Welsh) creel census data; effort and catch by species; after analysis of data, can make specific proposals for recreation fishing study; Bay focus but

can include Lake Michigan side; focus groups in each county; experts: Hutchinson, Adamowicz, Stoll, Rowe, Dillman. Phone (David Allen, Cam Davis) reading room; assessment plan comments.

14 Nov 1996: phone (David Allen, Frank Horvath) disagreement between David Allen and Frank Horvath; David Allen position: Frank Horvath should explain rationale for wanting to omit David Allen from some communication in the Regional Office; David Allen should have the benefit of being able to prove that he is not in certain lines of communication; Frank Horvath should brief David Allen every 2 weeks or more on communication results beyond David Allen reach; David Allen efforts on the assessment relate directly to the options available to Regional Office managers, and David Allen is in the best position to explain how factual information limits the options available to managers. Frank Horvath position: certain topics are mere distractions from David Allen work on the assessment; David Allen does not need to be kept in those loops. Phone (David Allen, Frank Horvath, Joe Moniot, Shelly Hall) meeting yesterday: Bill Hartwig and John Christian want to work with the potentially responsible parties to find alternatives to demand for sum certain; they see a window of opportunity before filing becomes a pressing need; tolling agreement for a couple of months might be enough to see if potentially responsible parties are willing; concept paper can be a short list of subjects developed by Jim Nellen, Maryann Sumi, and John Christian; concept paper can evolve into an memorandum of understanding/memorandum of agreement; natural resource damage assessment proceeds as before; memorandum of understanding/memorandum of agreement by January 31, 1997 or 60-day notice of intent to file suit; Wisconsin should be a player in the discussions; start sediment remediation efforts at Deposit N as a test of cooperation; hold off on EPA request for an ecological assessment for one month; Bill Hartwig and Val Adamkus had a call yesterday. Meeting (David Allen, Ken Stromborg, Mark Holey) legal team assignments to assessment elements; Ken Stromborg and Mark Holey need to keep injury studies moving forward.

19 Nov 1996: phone (David Allen, Maureen Katz) attorney assignments to assessment elements; Gary Amendola was at DOJ for 2 days, will meet David Allen soon RE P.H. Glatfelter; economics experts.

21 Nov 1996: phone (David Allen, Mike Lokensgard of Oneida Tribe of Indians of Wisconsin) Mike Lokensgard talked with Susan Campbell about the assessment plan. Phone (David Allen, Susan Campbell) history of DOI natural resource damage assessment administrative process at Green Bay; future assessment administrative process at Green Bay (collect quintessentially relevant data ASAP; draw conclusions about what must be done to fix site and make public whole; attempt to reach agreement on fix and restoration); ability to collect the data and ability to reach agreement will determine the type and timing of outcome; movement of Fox River sediments makes this process urgent; statute of limitations?; David Allen not an expert, so unable to give an opinion, but Comprehensive Environmental Response, Compensation and Liability Act Section 113 addresses the issue at the statutory level, and whatever external deadlines actually exist, they are coming closer with time; assessment area too large? factual matter, which will be addressed by pathway analysis of actual information, good reasons not to set arbitrary *a priori* boundaries, size could complicate ability to reach agreement, but those are legal matters to be addressed by legal team; DOI interference with Fox River Coalition? in fact has not, supportive and had to fight to be let in as observers, need everybody's help and perspective, including Fox River Coalition, Remedial Action Plan, Science and

Technical Advisory Committee, DNR, EPA, different foci by different entities will provide needed perspective for decisions, urgency of moving sediments means that no entity should slow or wait for the others, natural resource damage assessment does not typically lead to litigation, and pace of that process can be easily overtaken by good-faith voluntary efforts that produce real results, allocation of responsibility will be thorny issue regardless of processes used for decisions on cleanup and/or restoration; punitive? explicitly prohibited by statute, and not anywhere in DOI's process or deliberations, factual matter of how best to make the public whole, better for responsible parties to pay than parties not responsible; bankruptcy? natural resource damage assessment is objective analysis of what needs to be done to restore so that public made whole, U.S. does not use Comprehensive Environmental Response, Compensation and Liability Act to bankrupt potentially responsible parties, many examples of ability to pay used to determine reasonable settlements; big \$ only way to resolve? statute explicitly requires all money collected for restoration be used for restoration, cost will depend on magnitude of needed restoration, which will depend on the factual information about pathways, injuries, damages, and relevant restoration opportunities, Fox River Coalition engineering cost exercises are pure speculation without regard to the relationship between pathways, injuries, damages, and relevant restoration opportunities, settlements afford flexibility - many precedents, historically natural resource damage assessment go from \$10k-ish (Lake Geneva) to \$100M-ish (New Bedford Harbor) to \$1B-ish (Exxon-Valdez); other natural resource damage assessment cases files in court? New Bedford Harbor, Montrose, Bunker Hill; many details on natural resource damage assessment process and information needs; avoided specific legal strategy discussion and site-specific data collection plans.

26 Nov 1996: conference call (David Allen, Matt Richmond, Josh Lipton, Doug Beltman, Dave Cacela, Shelly Hall, Joe Moniot) pathway details: paper process (David Allen); PCB environmental chemistry (Doug Beltman). Phone (David Allen, Frank Horvath) Frank Horvath meeting with John Christian; John Christian meeting with Maryann Sumi and Jim Nellen about 3-page Concept Paper; December 5 inner circle review of concept paper by Bill Hartwig, John Christian, John Rogers, Ben Fisherow, potentially responsible parties; then review by Jamie Clark, tribes, DOI (including Office of the Secretary), then review by Congressional staffers, then major planning session with George Meyer, Val Adamkus, potentially responsible parties, etc. during December 16-20; then conceptual agreement and press releases and briefings; also need David Allen recommendations on how to proceed with lake trout study. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Glen Warren of EPA) Glen Warren prefers that David Allen not attend Lake Michigan Mass Balance Study meeting (because of natural resource damage assessment controversy).

29 Nov 1996: Governor Thompson letter to DOI urging assistance with negotiated settlement.

02 Dec 1996: meeting (David Allen, Ken Stromborg, Mark Holey) detailed plans for lake trout study work on double-crested cormorants. Phone (David Allen, Frank Horvath) Frank Horvath has draft Concept Paper but cannot distribute; Maureen Katz has problems with definitions that are more restrictive than Comprehensive Environmental Response, Compensation and Liability Act, but John Christian says that Jim Nellen says that the definitions are right from the regulations; assessment plan comments.

03 Dec 1996: phone (David Allen, Maureen Katz) Concept Paper; coordinate with Gary Amendola; legal team call. Phone (David Allen, Susan Schneider) Concept Paper; fish injury call; Comprehensive Environmental Response, Compensation and Liability Act Section 106 unilateral order strategy; Lake Michigan Mass Balance Study meeting. Phone (David Allen, Josh Lipton) Concept Paper; fish injury call; Lake Michigan Mass Balance Study meeting.

04 Dec 1996: phone (David Allen, Roger Grimes) Concept Paper; EPA procedures for public relations. Phone (David Allen, Emily Green) Emily Green: George Meyer claimed in newspaper that statute of limitations for natural resource damage assessment occurs in March 1997; multiple triggers, no case law, moving towards it regardless of what date is correct; Sierra Club disagrees with George Meyer's take on the natural resource damage assessment.

05 Dec 1996: phone (David Allen, Rich Bishop) economics statistics. Phone (David Allen, Gary Amendola) schedule for document review.

06 Dec 1996: phone (David Allen, Mark Holey, Don Tillitt) lake trout study updates.

09 Dec 1996: phone (David Allen, Maureen Katz) Concept Paper; comments incorporated from Ben Fisherow and Pete Raynor; John Christian negotiating final version by Friday. Phone (David Allen, Frank Horvath) assessment plan comments; lake trout study; analytical lab selection; Joan Guilefoyle met with Bill Hartwig and John Christian about Concept Paper; time for another Summit; memorandum of understanding and tolling agreement.

10 Dec 1996: Chicago, IL: meeting (David Allen, Roger Grimes, Tom Alcamo of EPA, by phone: Frank Horvath, Josh Lipton, Maureen Katz, Susan Schneider, Shelly Hall, Joan Goldfarb) how to coordinate legal team with technical team - fish injury, economics, pathway, bird injury, analytical chemistry, quality assurance/quality control, statistics, mammal injury (Josh Lipton); weekly conference call to ensure consistent strategy and approach; assessment plan comments; restoration and compensation determination plan approach; budget, overall strategy, and Summit II; fish injury meeting; economics meeting; Concept Paper not final yet. Lake Michigan Mass Balance Study meeting: technical details.

11 Dec 1996: Chicago, IL: Lake Michigan Mass Balance Study meeting: technical details. FWS letter transmitting "Concept Paper" to EPA, DNR, and Fox River Group.

16 Dec 1996: meeting (David Allen, Gary Amendola, Jeff Steuer) PCB release data. Phone (David Allen, Mike Welsh) updates, document from Bob Rowe soon.

17 Dec 1996: phone (David Allen, Shelly Hall) memorandum of understanding meeting in Madison, WI with Cynthia Hirsch, Jim Nellen, probably tribes, Maureen Katz - Shelly Hall not invited but may attend anyway; potentially responsible party lobbyists meeting with DOI staffers. Phone (David Allen, Roger Grimes) Concept Paper - agrees with David Allen analysis; urgency from PCB

movement downriver; call Doug Endicott (EPA modeler) about estimate of 620 pounds per year from Fox River to Green Bay. Phone (David Allen, Josh Lipton) Josh Lipton: cannot meet 1-year timeframe; historical PCB release data limited and could present issues. Phone (David Allen, Dale Patterson) DNR has PCB data; DNR presented final Fox River modeling results to Fox River Coalition a month ago, briefing EPA soon, could also brief FWS. Phone (David Allen, Susan Campbell) writing another Green Bay natural resource damage assessment story more from the environmental non-governmental organization side. Phone (David Allen, Frank Horvath) tribes want to know about natural resource damage assessment money availability.

18 Dec 1996: phone (David Allen, Maureen Katz) DNR briefing; files; Summit II; publicly operated treatment works as potentially responsible parties. Phone (David Allen, Josh Lipton) DNR briefing. Phone (David Allen, Jim Hahnenberg) Concept Paper; updates.

19 Dec 1996: phone (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb, Shelly Hall, Maureen Katz) detailed review of assessment plan comments. Phone (David Allen, Susan Campbell) memorandum of understanding and Concept Paper; David Allen gave phone numbers for Bill Hartwig and Joan Goldfarb. Conference call (David Allen, Frank Horvath, Bob Rowe, Shelly Hall, Joan Goldfarb) economics.

20 Dec 1996: phone (David Allen, Frank Horvath, Maureen Katz) potentially responsible parties had “heart attack” about release of Concept Paper; retrieve and stamp confidential if practical; not practical, Green Bay Press-Gazette has it; outline of memorandum of understanding between FWS, DNR, and potentially responsible parties, Andrew Schlickman first draft.

23 Dec 1996: phone (David Allen, Linda Holst) updates. Phone (David Allen, Maureen Katz) updates; NOAA; John Christian; DNR and potentially responsible parties; historical information, public coordination, negotiations, and FWS activities at Green Bay.

02 Jan 1997: meeting (David Allen, Ken Stromborg) need to engage Hector Galbraith in bird injury study details. Phone (David Allen, Eli Reinharz of NOAA) assessment plan; keep NOAA in the loop.

03 Jan 1997: phone (David Allen, Josh Lipton) Summit II; bird injury case. Phone (David Allen, Bob Rowe) economics strategy document. Phone (David Allen, Joan Goldfarb, Shelly Hall) resolution track meetings.

06 Jan 1997: phone (David Allen, Frank Horvath) Summit II. Phone (David Allen, Jo Mercurio) DNR modeling briefing.

07 Jan 1997: phone (David Allen, Doug Beltman) details for sampling plans in Green Bay. Conference call (David Allen, Frank Horvath, Josh Lipton, Susan Schneider, Mark Holey, Joe Moniot, Diana Lane, Joan Goldfarb, Doug Beltman) Summit II agenda and materials; U.S. Food and Drug Administration action levels; Wisconsin fish consumption advisory; measuring PCBs in fish; reproducing the history of sampling and fish consumption advisory in the assessment area.

08 Jan 1997: meeting (David Allen, Ken Stromborg) bird injury case details. Phone (David Allen, Frank Horvath) Bill Hartwig, John Christian, Joan Goldfarb, Shelly Hall, Roger Grimes, tribes (including Bruce Green), WI trying to meet on Friday; trustee resolution or no meeting with potentially responsible parties; however, DNR may meet regardless; Maureen Katz had long conversation with John Christian. Conference call (David Allen, Ken Stromborg, Josh Lipton, Susan Schneider, Elliott Rockler, Hector Galbraith, Joe Moniot) bird injury assessment. Conference call (David Allen, Josh Lipton, Susan Schneider, Joan Goldfarb, Mark Holey, Joe Moniot, Don Tillitt, Mike Anderson, Doug Beltman) fish injury assessment; lake trout study.

10 Jan 1997: letter from Sec. Babbitt responding to Gov. Thompson.

13 Jan 1997: phone (David Allen, Dale Patterson) Dale Patterson: extended meeting with FWS not such a good idea; meet on pathway and modeling more quietly in February. Phone (David Allen, Frank Horvath) Frank Horvath met with Cynthia Hirsch, Maryann Sumi, tribes: how to avoid claim splitting; Bill Hartwig said no meeting with potentially responsible parties; Bill Hartwig wants to interview David Allen about certain issues.

15-17 Jan 1997: Washington, D.C.: Summit II: details of the Green Bay natural resource damage assessment with technical and legal teams.

21 Jan 1997: conference call (David Allen, Ken Stromborg, Elliott Rockler, Hector Galbraith, Tom Custer, Ian Nisbitt) bird injury studies for the assessment. Phone (David Allen, Doug Beltman) working on sample summaries. Phone (David Allen, Matt Richmond) updates; summary of Summit II; Montrose decision (Ninth Circuit reversal).

22 Jan 1997: Madison, WI meeting: DNR summary of Fox River PCB modeling efforts (technical discussions led by Mark Velleux); DNR engineering cost analysis of deposit removal, but not linked to injury endpoints and timelines; no attempt at legal evidentiary rigor; Deposit N.

23 Jan 1997: phone (David Allen, Roger Grimes) FWS natural resource damage assessment expenditures for Green Bay natural resource damage assessment; DNR Fox River modeling; FWS needs EPA Superfund experts to help with remedial investigation/feasibility study-like analyses of Fox River; FWS needs EPA legal expertise to help with liability case; FWS needs EPA to issue Comprehensive Environmental Response, Compensation and Liability Act Section 106 unilateral orders to spur action at Deposit A. Phone (David Allen, Dale Patterson) FWS needs access to DNR Fox River data; plan of action to make that happen.

27 Jan 1997: Twin Cities, MN meeting (David Allen, Frank Horvath) Green Bay natural resource damage assessment budgetary plans. David Allen interview with Bill Hartwig, John Christian, and Frank Horvath: all press contacts on Green Bay natural resource damage assessment go to Bill Hartwig, who may delegate to John Christian or Joan Guilefoyle; David Allen should attempt to communicate internally verbally without controversy, and with attorney review; if legal issue on

resolution track, David Allen to raise with Frank Horvath, not attorneys. Meeting (David Allen, Frank Horvath) David Allen: conflict resolution is two-way street; if want to avoid written resolution later, then must succeed with verbal resolutions ahead of time with entire team, particularly those beyond Bill Hartwig's command line. Meeting (David Allen, TJ Miller) David Allen: conflict resolution is two-way street; if want to avoid written resolution later, then must succeed with verbal resolutions ahead of time with entire team, particularly those beyond Bill Hartwig's command line.

28 Jan 1997: Twin Cities, MN: meeting (David Allen, Frank Horvath, Matt Richmond, TJ Miller) Westinghouse natural resource damage assessment. Meeting (David Allen, Frank Horvath) document Bates stamping, reading room; Freedom of Information Act exemption classifications; how to structure regional office personnel and process to better triage natural resource damage assessment opportunities throughout region; Freedom of Information Act responses. Meeting (David Allen, Frank Horvath, Bill Hartwig, John Christian, Joan Guilefoyle, two other staff from FWS, Region 3) letter from Regional Director to DNR; letter from to DOJ to Wisconsin Department of Justice; memorandum of understanding between Federal Government, Wisconsin, and tribes; add conference call with Ben Fisherow, Pete Raynor, Shelly Hall, Joan Goldfarb. Meeting (David Allen, Frank Horvath) Green Bay natural resource damage assessment budgets.

29 Jan 1997: phone (David Allen, Frank Horvath, Maureen Katz, Shelly Hall, Roger Grimes, Tone Giedt) excruciating details in proposed memorandum of understanding between Federal Government, Wisconsin, and tribes. Phone (David Allen, Josh Lipton, Hector Galbraith, Doug Beltman, Bob Rowe) Green Bay assessment schedules and items for scope of work. Letter from FWS Regional Director Hartwig to Sec. Meyer about need for continued cooperation.

30 Jan 1997: DNR announcement of unilateral settlement with Fox River Group (State/Company Agreement). Janet Smith: Becky Katers called: Channel 5 News reports \$10 million (\$7 million for cleanup projects), 18-month deal with "sediments and parking lots." Phone (David Allen, Roger Grimes) Mark Thimke as much as admitted to a deal, yesterday. Phone (David Allen, Frank Horvath) DNR sent a 9-page press release to FWS, today; Frank Horvath talked with Bill Hartwig, John Christian, Maureen Katz, Shelly Hall; FWS letters to Congressional members, tomorrow; FWS notice of intent to file suit letters, tomorrow; DOI letters of referral to DOJ, tomorrow; Maryann Sumi still wants to talk about an memorandum of understanding between Federal Government, Wisconsin, and potentially responsible parties; Joan Guilefoyle has FWS statement for press, but needs comment from attorneys; Joan Guilefoyle said that Bill Hartwig said deal does not seem too bad, might still be able collaborate; FWS still waiting for the actual DNR agreement, waiting for Sumi to clear; Frank Horvath talked to Bret Hulsey and Emily Green, who have strategy for pressuring the paper mills, which they want to brief FWS about.

31 Jan 1997: phone (David Allen, Doug Beltman) final analytical chemistry memo today; fingerprinting memo next week. Phone (David Allen, Frank Horvath) 32-page fax with DNR deal and court document. Phone (David Allen, Jim Hahnenberg) Colonel from U.S. Army Corps of Engineers talked to Jay Johnson about the Fox River; Lake Michigan Mass Balance Study data will be available

this summer; DNR deal. Letters from FWS Regional Director Hartwig to paper companies with notices of intent to file suit for natural resource damages at Green Bay.

03 Feb 1997: phone (David Allen, Matt Richmond, Maureen Katz) DNR deal; David Allen memo and Maureen Katz memo are similar; Matt Richmond: probably do not need to go to court right now, but need to go on record as opposing terms of the deal; researching to confirm that we can argue position in court later. Phone (David Allen, Stephanie Fierstein of a Neenah newspaper); David Allen gave phone number for Joan Guilefoyle.

05 Feb 1997: conference call (David Allen, Frank Horvath, Matt Richmond, Bill Hartwig, John Christian, Roger Grimes, Dave Ullrich, Pete Raynor, Joan Goldfarb, Pat Pelky, Kris Goodwill, Tom Nelson, Tony Giedt, Maureen Katz, Ben Fisherow, Doug Cox, Frieda Burger) Hartwig: Fort Howard, Appleton Papers Inc., and PH Glatfelter want to meet, but must wait until after DOI Secretary is briefed, only if we are discussing the memorandum of understanding for the Concept Paper, and only if no discussion of why we didn't meet with the potentially responsible parties previously; Fox River Group wants to meet with the DOI Deputy Solicitor; briefing statement for DOI Secretary today; DOI cannot join DNR deal because of mis-statements, including about law and regulations; joint letter from DOI and EPA to Governor Thompson; strategy for reaching Jamie Clark (FWS Assistant Director) and Carol Browner (EPA Administrator); DOI file suit in March? Yes; referrals; notice letters; scenarios for Federal Government and Wisconsin in court after filing; need legal team position to Wisconsin also; need to explore best approach for Federal Government to address sediment issues (DOI; EPA; both); EPA unilateral order under Comprehensive Environmental Response, Compensation and Liability Act Section 106.

06 Feb 1997: phone (David Allen, Jim Hahnenberg) Hahnenberg: DNR agreement is lame; remediation downstream first makes no sense. Phone (David Allen, Frank Horvath) briefing for the Secretary of the Interior.

10 Feb 1997: phone (David Allen, Frank Horvath) briefing for Secretary of the Interior Babbitt: Babbitt: file suit in May; tolling agreement only if we get something in return; stop messing around with State of Wisconsin; potentially responsible parties will instruct Governor Thompson; our letter should not just put Governor on a soapbox; DOI in the right on this one; election helped; this will not stall; Frank Horvath: Joan re-working John Christian's letter; we're dealing directly with the potentially responsible parties, Wisconsin can join if they want; Bill Hartwig meeting with EPA Deputy Regional Administrator tomorrow; Cohen (DOI) will work with Browner (EPA); Babbitt likes twin DOI, EPA signatures; Jamie Clark (FWS) said no DOJ and no EPA; Babbitt read briefing statements carefully and took notes. Phone (David Allen, Joan Goldfarb) Goldfarb: Babbitt meeting went well; now is the time to litigate; focus on the potentially responsible parties, not the State of Wisconsin; waiting a year must be worthwhile for the resource. Phone (David Allen, Emily Green) updates.

11 Feb 1997: phone (David Allen, Roger Grimes, Jim Hahnenberg) updates on briefing for Secretary of the Interior Babbitt; EPA still deciding about participation in Fox River Coalition. Phone (David

Allen, Susan Schneider) adding two potentially responsible parties; review of P.H. Glatfelter; review of Fort Howard; review of City of Appleton, Appleton Papers, National Cash Register Corporation, Riverside; review of Neenah-Menasha, Wisconsin Tissue Mills, U.S. Paper; review of Kimberly-Clark, George Whiting; review of Consolidated papers; review of Thilmany; review of De Pere WWTP, Nicolet; review of Green Bay Metro WWTP, James River, Green Bay Packaging; assignments for Matt Richmond, Joan Goldfarb, Susan Schneider, Maureen Katz, Elliott Rockler, Esperanza, and Francis; upstream and below De Pere Dam distinctions. Phone (David Allen, Don Tillitt) money; inter-agency agreement; egg injection details; Ken Stromborg and Hector Galbraith roles. Phone (David Allen, Hector Galbraith) interagency agreements and Don Tillitt role. Phone (David Allen, Ken Stromborg, Hector Galbraith) Don Tillitt role. Conference call (David Allen, Frank Horvath, Doug Beltman, Mike Anderson, Joe Moniot) work plan with Battelle labs; chemical analysis details; money per sample; timing and holding times for samples. Phone (David Allen, Jim Hahnenberg) updates; restoration options.

12 Feb 1997: phone (David Allen, Frank Horvath) DOI referral to DOJ; public relations; Congressional contacts; Bob Foley replacing Dick Pederson on Bunker Hill/Coeur D'Alene. Phone (David Allen, Bob Foley) working with Josh Lipton and Hagler Bailly; review of contracting details. Phone (David Allen, Frank Horvath) Frank Horvath: call with Joan Goldfarb, Pete Raynor, Maureen Katz, Ben Fisherow, Bill Brighton: litigation risk vs. memorandum of agreement with potentially responsible parties vs. tolling agreement; Joan's letter going out without further revisions; meeting scheduled with potentially responsible parties; participation in assessment of Deposit A; DOI briefing statements; joint letter on DNR agreements by DOJ and Office of the Solicitor. Meeting (David Allen, Ken Stromborg, Tom Custer) data review; study updates.

13 Feb 1997: Madison, WI: meeting (David Allen, Frank Horvath, Joe Moniot, Dale Patterson, Steve Jaeger, Mark Velleux, Xinxing, Jeff Steuer, Gary Amendola, David Glaser, Doug Beltman) modeling and pathway data.

14 Feb 1997: phone (David Allen, Frank Horvath) Deposit A; modeling; timing. Phone (David Allen, Jim Hahnenberg) Fox River Coalition; DNR details about meeting on modeling. Meeting (David Allen, Janet Smith) John Christian will call today about briefing for Representative Jay Johnson. Phone (David Allen, Chris Custer) review of upcoming presentations. Phone (David Allen, Tom Custer) PCBs and DDE; sample egg results; individual vs. population effects; tree swallows and cormorants. Phone (David Allen, Emily Green) Fox River Coalition; DOI did not break off negotiations, rather, DNR blind-sided DOI.

18 Feb 1997: phone (David Allen, Mark Velleux) how to proceed with detailed review of Fox River modeling results; Dom DiToro review of Green Bay data and modeling results; P.H. Glatfelter wants to review details during the DNR deal period; purpose of model is to determine amount of exposure of Green Bay to PCBs, only secondarily about local sources; Dale Patterson, Mark Velleux, and David Allen [with Hagler Bailly and QEA] will work together directly unless somebody actively prevents it. Conference call (David Allen, Ken Stromborg, Hector Galbraith, Tom Custer, Ian Nisbit, Don Tillitt, Joe Moniot) updates on lake trout work; updates on tree swallow work; updates on cormorant work;

PCBs and DDE. Phone (David Allen, Susan Schneider) DNR meeting; litigation risk; natural resource damage assessment vs. Resolution Track; grossly disproportionate restoration costs vs. measurable effects of restoration.

19 Feb 1997: phone (David Allen, Josh Lipton) scope for Phases III and IV of the Green Bay natural resource damage assessment. Phone (David Allen, Gary Amendola) plans for working with cooperative DNR staff. Phone (David Allen, Frank Horvath, John Lindsay, Jim Hahnenberg) planning meeting for EPA, NOAA, FWS, U.S. Army Corps of Engineers; plans for 1997 remedial investigation/feasibility study work; how to involve potentially responsible parties in restoration planning, now, without granting access to entire natural resource damage assessment and remedial investigation/feasibility study process; Bill Hartwig worried about giving potentially responsible parties direct access to David Allen.

20 Feb 1997: phone (David Allen, Dale Patterson) coordination issues on pathway and modeling information. Phone (David Allen, Josh Lipton) updates; schedule; budgets. Phone (David Allen, Frank Horvath) schedule; letter to Governor Thompson; public relations; legal team letter. Phone (David Allen, Sue Kozarek) contracting and budgets. Meeting (David Allen, Janet Smith) public briefing being planned: John Christian and Frank Horvath to give presentations.

24 Feb 1997: phone (David Allen, Jim Hahnenberg) press; updates; meetings. Phone (David Allen, Susan Schneider) information requests; fish meeting; discovery vs. Freedom of Information Act response. Phone (David Allen, Joan Goldfarb) fish meeting. Phone (David Allen, Frank Horvath) meetings; Congressional contacts; legal team and Bill Hartwig. Phone (David Allen, Josh Lipton, Doug Beltman) Josh Lipton: Report of Assessment may not be good idea, costly and divulges information before litigation; fish consumption advisories; scope.

26 Feb 1997: letter from Sec. Babbitt and Administrator Browner to Gov. Thompson expressing disappointment in State/Company Agreement.

27-28 Feb 1997: Chicago, IL: meetings between trustees, EPA, and potentially responsible parties: Josh Lipton presentations; very lengthy discussion about what trustees will allow potentially responsible parties to participate in immediately (PCB transport and modeling discussions; restoration planning).

03 Mar 1997: phone (David Allen, Hector Galbraith) no DDE egg injection study (avian injury team recommendation). Phone (David Allen, Susan Schneider) how to put Fox River on the National Priorities List; information requests. David Allen calls to Lake Michigan Federation, National Wildlife Federation, Clean Water Action Council of Northeastern Wisconsin about letter from DOI and EPA to Governor Thompson.

04 Mar 1997: phone (David Allen, Joan Goldfarb, Shelly Hall) notices of intent to file suit; information requests. Phone (David Allen, Frank Horvath) Bill Hartwig, John Christian, legal team discussions about how to negotiate with potentially responsible parties and about what. Conference

call (David Allen, Frank Horvath, Shelly Hall, Maureen Katz, Roger Grimes) potentially responsible party participation. Phone (David Allen, Mark Velleux) updates; politics; modeling details. Phone (David Allen, Frank Horvath) Bill Hartwig: meeting with Dave Ullrich and Bill Muno on March 19: Bill Hartwig wants joint response action by DOI and EPA.

05 Mar 1997: phone (David Allen, Susan Schneider) information requests; notices of intent to file suit. Phone (David Allen, Bob Rowe) economics studies; peer review (team; outside expert review; trustee review). Conference call (David Allen, Frank Horvath, Shelly Hall, Susan Schneider, Maureen Katz, Gary Amendola) information requests; notices of intent to file suit.

06 Mar 1997: phone (David Allen, David Glaser) models; review of DNR modeling information. Phone (David Allen, Joan Goldfarb, Shelly Hall) information requests; notices of intent to file suit; tolling agreements. Phone (David Allen, Frank Horvath) Ben Fisherow, Pete Raynor, and Bill Hartwig are pushing Green Bay natural resource damage assessment staff for practical way to allow potentially responsible parties to participate in the entire assessment; may require showdown between them and staff. Phone (David Allen, Josh Lipton) Josh Lipton: DOJ does not want to have to file natural resource damage assessment; DOJ does not understand the technical work that must be accomplished and its relationship to cooperative participation agreements that they hope for; David Allen: must keep moving the natural resource damage assessment forward deliberately and expeditiously and hope we stay ahead of managers' (DOI, EPA, DOJ) reluctance to battle potentially responsible parties.

12 Mar 1997: conference call (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz, Bob Rowe) recreational fishing and subsistence fishing economic damages studies; potentially responsible party participation issues. Phone (David Allen, Susan Schneider) corporate successor liability and exceptions: Bergstrom, P.H. Glatfelter; Wisconsin Tissue Mills, Chesapeake Corp., Philip-Morris; U.S. Paper, John Strange, Menasha Corp.; Riverside Paper, Kerwin Paper, American Paper Corp.; Fort Howard; Appleton Papers. Phone (David Allen, Frank Horvath) strategy for moving the natural resource damage assessment forward.

13 Mar 1997: phone (David Allen, Susan Schneider) corporate histories. Meeting (David Allen, Ken Stromborg) history of Remedial Action Plan and Fox River Coalition meetings, committees, accomplishments, disagreements.

14 Mar 1997: conference call (David Allen, Frank Horvath, Jim Hahnenberg, John Lindsay, Doug Beltman, Pat Pelky, Tom Nelson, Skip Missmer, Doug McLaughlin, Mark Brown, Dennis Hultgren, Bill Brewer) PCB modeling; remediation techniques; structure for participation. Conference call (David Allen, Frank Horvath, Doug Beltman) David Allen and Doug Beltman: no more of these calls and meetings with potentially responsible parties without funding and participation agreement; Frank Horvath: must have at least one more; not resolved.

17 Mar 1997: phone (David Allen, Doug Beltman) strategies for controlling potentially responsible party participation in the Green Bay natural resource damage assessment. Phone (David Allen, Mark

Velleux) strategies for preventing potentially responsible parties from driving wedges between federal and state staff. David Allen incorporate edits from Janet Smith into David Allen analysis of potentially responsible party participation in natural resource damage assessment.

19 Mar 1997: Chicago, IL meeting between FWS, DOJ, and EPA: Bill Hartwig and Dave Ullrich introductions; Jim Hahnenberg Superfund authorities, National Priorities List process; Bill Munro: problems with DNR resistance, Superfund allocations must be managed carefully; Ben Fisherow, statute of limitations prong is better with National Priorities List listing; Ullrich, controversy of National Priorities List itself could delay action on the ground; Hartwig, political climate best right now to proceed with National Priorities List; Munro, could hurt Comprehensive Environmental Response, Compensation and Liability Act reauthorization debate; Gail Ginsberg, PCB stigma with listing; Ullrich and Munro, EPA Headquarters worried about controversy affecting EPA budget; Pete Raynor; DOI needs EPA as strong partner; Ullrich and Munro, EPA trying to reduce the number of National Priorities List sites, not increase; Munro, National Priorities List problematic for very large river sites; Munro, disposal sites problematic; Ullrich, won't decide today; Munro, Tim Fields (EPA Assistant Administrator for Superfund) said that Fox River was mentioned as an uncooperative site; Hartwig: told George Meyer that DOI and EPA now working together; Hahnenberg, Deposit A may allow more cooperation between EPA and DNR; David Allen: timelines; Roger Grimes, National Priorities List is practical for Fox River - about 1,000 contracting hours; Barry DeGraff, Water Division initiatives; discussion of Great Lakes National Program Office grants.

20 Mar 1997: phone (David Allen, Dale Patterson) models and meetings.

24 Mar 1997: phone (David Allen, Frank Horvath, Sue Kozarek) Hagler Bailly contract; inter-agency agreements with principal investigators. Phone (David Allen, Don Tillitt) lake trout study; inter-agency agreement. Phone (David Allen, Jim Hahnenberg) Deposit N; Val Adamkus may retire from EPA. Phone (David Allen, Josh Lipton) mutual updates.

26 Mar 1997: Chicago, IL meeting (David Allen, Frank Horvath, Jim Hahnenberg, Jean Griffith, John Lindsay, Todd Goeks, Callie Bollatino of EPA, Joe Dufficy) on National Priorities List process; EPA, Region 5 has 6 National Priorities List listings since 1991; unilateral EPA National Priorities List listing very difficult; timelines; expedited process vs. full remedial investigation/feasibility study; removals with Comprehensive Environmental Response, Compensation and Liability Act Sections 122 and 106; could divide Fox River into segments; Engineering Evaluation/Cost Analysis for Deposit A, remedial investigation/feasibility study above De Pere Dam, remedial investigation/feasibility study below De Pere Dam, Great Lakes National Program Office demonstration at Deposit N, community relations team with EPA and trustees.

07 Apr 1997: phone (David Allen, Tom Custer) waterfowl study. Phone (David Allen, Hector Galbraith) waterfowl study; tern study. Meeting (David Allen, Mark Holey) lake trout study; brown trout sampling; walleye study.

08 Apr 1997: meeting (David Allen, Ken Stromborg) bird injury case. Phone (David Allen, Diana Lane) data support for National Priorities List listing. Phone (David Allen, Hector Galbraith) bird injury case. Phone (David Allen, Frank Horvath) Frank Horvath so frustrated with John Christian that Frank Horvath may file a grievance. Phone (David Allen, Josh Lipton) mutual updates. Phone (David Allen, Maureen Katz) peer reviews of assessment results; liability case.

09 Apr 1997: David Allen talk to EPA National Priorities List consultants about data and information from Hagler Bailly. Conference call (David Allen, Josh Lipton, Hector Galbraith) tree swallow studies; tern egg injection study; bald eagle study. Phone (David Allen, Mark Velleux) setting up PCB modeling meeting between federal and Wisconsin staff. Phone (David Allen, Doug Beltman) timing of analytical chemistry. Phone (David Allen, Gary Amendola) mutual updates. Meeting (David Allen, Rob Elliott) documentation of fish samples. Meeting (David Allen, Mark Holey) how does John Christian stay in power? Probably connected to DOI Assistant Secretary Don Berry.

10 Apr 1997: conference call (David Allen, Frank Horvath, Josh Lipton, Mike Anderson, Joe Moniot) lab and ecological assessment of walleye and brown trout; histopathology results; next steps. Meeting (David Allen, Joel Trick, Mark Holey, Joe Moniot) EPA National Priorities List listing questions. Phone (David Allen, Mark Velleux) federal-state modeling meeting; Velleux under orders from DNR managers to run meeting as DNR meeting; purposely talking right past federal staff. Phone (David Allen, Frank Horvath) intense discussion about John Christian; John Christian has been talking to potentially responsible parties directly; Bill Hartwig seems to be taking positions more like Frank Horvath, less like John Christian.

11 Apr 1997: phone (David Allen, Joan Goldfarb) Goldfarb: John Christian has been talking to John Duffy after she and Pete Raynor advised him not to; resolution track strategies and updates. David Allen conference call with EPA about details for National Priorities List listing pre-scoring; information needs and sources. Conference call (David Allen, Bob Rowe, Edward Morey, Joan Goldfarb, Earl Hutchison) economics case; recreational fishing; focus groups; literature review; total value plan; restoration projects. Conference call (David Allen, Frank Horvath, Josh Lipton, Doug Beltman, Susan Schneider, Elliott Rockler, Joan Goldfarb) bird injury case and fish injury case; physiological injuries; reproductive injuries; consumption advisories; walleye; brown trout; lake trout; Forster's terns; bald eagles; tree swallows; other sites; National Priorities List listing update.

14 Apr 1997: conference call (David Allen, Doug Beltman, Hector Galbraith) funding; inter-agency agreements; tree swallows; terns; walleye; Society for Environmental Toxicology and Chemistry conference.

15 Apr 1997: phone (David Allen, Maureen Katz) Congressional amendment being considered which would exempt paper recycling from Comprehensive Environmental Response, Compensation and Liability Act.

16 Apr 1997: phone (David Allen, Jim Hahnenberg) National Cash Register paper PCB content; Comprehensive Environmental Response, Compensation and Liability Act amendment.

18 Apr 1997: Milwaukee, WI meeting between FWS, DNR, potentially responsible parties on PCB fate and transport modeling; detailed discussion of work to date, work that could be done, how to work together; much disagreement about details and how to proceed; facilitators?; Quantitative Environmental Analysis Inc. and FWS will try to create a white paper documenting technical parameters within reach of early agreement.

21 Apr 1997: Janet Smith taped interview with Wisconsin Public Radio. Phone (David Allen, Josh Lipton) updates on PCB modeling meeting; updates on natural resource damage assessment meeting; updates on John Christian.

22 Apr 1997: phone (David Allen, Josh Lipton) Josh Lipton: meetings with potentially responsible parties, talked with Tony Giedt, leverage is key, avoid free discovery, give potentially responsible parties good reasons to be worried: volume of PCB-contaminated media, toxicity of PCBs, injuries occurring, services being lost; put forward a theory of the case w/o discussion or debate; make experts available to answer specific technical questions about our theory. Phone (David Allen, Maureen Katz) confidential business information; Katz: presentation to potentially responsible parties, key is to identify areas of dispute w/o getting hung up on them, and record all the areas of agreement. Phone (David Allen, Frank Horvath) Bill Hartwig beginning to rely directly on Frank Horvath rather than John Christian for details; Christian keeps popping into Frank Horvath office; Frank Horvath talked to TJ Miller about having to spend much time to undo mistakes by John Christian; presentations to potentially responsible parties.

23 Apr 1997: phone (David Allen, Becky Katers) FWS presentation to potentially responsible parties and Jay Johnson. Phone (David Allen, Emily Green) FWS presentation to Jay Johnson and potentially responsible parties. Phone (David Allen, Susan Campbell) FWS presentation to Representative Jay Johnson and potentially responsible parties, but contact regional office for official word.

24 Apr 1997: Chicago, IL meeting between FWS, EPA, DOJ, Tribes: planning for presentation to Jay Johnson and potentially responsible parties: 4-5 hour presentation to potentially responsible parties; next day 1-hour presentation with 1-hour questions for Jay Johnson. Meeting between FWS, DOJ, EPA: National Priorities List listing; remedial investigation/feasibility study and natural resource damage assessment coordination; timing of steps to announce EPA decision on National Priorities List listing, if Dave Ullrich says yes. Meeting between Bill Hartwig and Dave Ullrich: Roger Grimes: pros and cons of National Priorities List listing; Bill Munro: implications to Comprehensive Environmental Response, Compensation and Liability Act reauthorization, Tim Fields and EPA Headquarters concerns with National Priorities List listing; Gail Ginsberg: mostly a political issue, but legal advantages; Bill Hartwig: remedial investigation/feasibility study can be avoided, but cleanup cannot; Dave Ullrich: National Priorities List only way to achieve goal, more than right thing to do, right site to have this battle, eyes open about the battle, meeting with Tim Fields next week - confident of support; Bill Hartwig: FWS will no longer be silent for potentially responsible parties or DNR, moving forward and glad/hopeful to have EPA along; May 20-21 presentations, August 13 arrangement of remediation, February National Priorities List proposal.

25 Apr 1997: meeting (David Allen, Frank Horvath, Joe Moniot) Frank Horvath: planning session with Bill Hartwig and John Christian; 12 critical events with dates; separation of John Christian from Frank Horvath, David Allen, Joe Moniot; May 18-19 planning session with FWS, Tribes, Hagler Bailly; May 19 meeting between FWS, Tribes, and DNR; May 20 presentation to potentially responsible parties 10 am - 3 pm; May 21 public presentation 10 am - noon; May 21 press conference 2-3 pm; general public meeting 7-9 pm with 1 hour for questions; David Allen lead for federal and tribal meetings; David Allen lead with help from Josh Lipton for agenda for meeting between federal, tribal, and DNR; John Christian and Frank Horvath will coordinate with EPA; David Allen work with Joan Guilefoyle on presentations to public. Phone (David Allen, Josh Lipton) David Allen to Boulder, CO to meet with Hagler Bailly April 30 - May 1; May 6-9 Hagler Bailly work on technical details and slides; David Allen, Frank Horvath, Joan Goldfarb, Jim Hahnenberg, Tony Giedt, Maureen Katz to Boulder, CO on May 13-14 to work on presentations. Phone (David Allen, Frank Horvath) Bill Hartwig talked to George Meyer about FWS presentations; George Meyer went ballistic; Bill Hartwig warned Dave Ullrich.

28 Apr 1997: meeting (David Allen, Joe Moniot, Bob Rowe, Edward Morey, Bill Stoll, Hutchinson) economics studies; field trip.

29 Apr 1997: phone (David Allen, Frank Horvath) John Christian will meet with dignitaries; George Meyer talked to the Green Bay Press-Gazette. Maureen Katz: legal team trying to convince John Christian not to meet with dignitaries, convinced him to bring Joan Goldfarb, otherwise.

30 Apr 1997: Boulder, CO (David Allen, Josh Lipton, Bob Rowe, Doug Beltman, Joan Goldfarb) work on presentations by Bill Hartwig, David Allen, Josh Lipton and staff, Bob Rowe and staff.

01 May 1997: Boulder, CO continue working on presentations. Return to Green Bay: phone (David Allen, Frank Horvath) new plans from Bill Hartwig for meeting with Representative Jay Johnson (include other elected officials and DNR).

02 May 1997: conference call (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb, Joan Guilefoyle, Maureen Katz, Janet Smith, Jackie DeGreef of FWS, Joe Moniot) plans for briefing with Jay Johnson and other elected officials.

05 May 1997: phone (David Allen, Jim Hahnenberg) EPA, Headquarters supporting EPA, Region 5 on National Priorities List listing of Fox River. Phone (David Allen, Susan Campbell) background information. Phone (David Allen, Maureen Katz) potentially responsible parties inclined to participate in briefings but worried about public involvement; pressed Cynthia Hirsch about how DNR will make cleanup decisions - not sure, not much apparent understanding about how Comprehensive Environmental Response, Compensation and Liability Act works.

06 May 1997: phone (David Allen, Jim Hahnenberg) questions for presentation overheads and fact sheets. Phone (David Allen, Frank Horvath) Frank Horvath: worried about budget, EPA, John

Christian; presentations and fact sheets. Phone (David Allen, Doug Cox) Menominee Indian Tribe of Wisconsin tribal chairman might attend presentations. Phone (David Allen, Emily Green) updates on meetings and presentations. Phone (David Allen, Tom Nelson) working on formalizing Oneida Tribe of Indians of Wisconsin trusteeship; will check about Tribal Chairman attending presentations. Phone (David Allen, Doug Beltman) details on pathway presentations.

07 May 1997: phone (David Allen, Jim Hahnenberg) presentation questions; Bill Muno says that EPA will announce National Priorities List listing only after Headquarters approves formally. Letter from Gov. Thompson to DOI and EPA expressing disappointment about Fox River cleanup decisions.

08 May 1997: phone (David Allen, Roger Grimes) memorandum for Dave Ullrich in support of National Priorities List listing; questions for background information. Phone (David Allen, Frank Horvath) Frank Horvath talked to Dave Ullrich, who is trying to read Bill Hartwig; mutual updates; invite Bob Paulson, Mark Velleux, and Bill Fitzpatrick to the presentations; John Lindsay working on NOAA trusteeship issue.

09 May 1997: phone (David Allen, Gary Amendola) details on PCB release slides for presentation. Phone (David Allen, Jim Hahnenberg) Roger Grimes talked to Dave Ullrich, and EPA will not be ready to announce National Priorities List listing by time of presentation, so will attend without saying much. Phone (David Allen, Bob Paulson) Bob Paulson will attend meetings; details about what meetings are taking place. Meeting (David Allen, Janet Smith) Janet Smith talked to John Christian and Joan Goldfarb: John Christian wants to include ideas from then Concept Paper in the presentations; also has input for the fact sheets; also has input for the meetings and format of questions and answers. Phone (David Allen, Russ Kreis of EPA, modeling) data and code for EPA PCB fate and transport models. Phone (David Allen, Josh Lipton, Doug Beltman) preparations for the actual presentations; assessment plan addendum; Susan Schneider busy with an Air Act trial; Fort Howard update; schedules; bird injury assessment details; fish injury assessment details; fish consumption advisory assessment details; pathway assessment details.

12 May 1997: Milwaukee, WI meeting between federal agencies, Wisconsin agencies, and potentially responsible parties about PCB fate and transport in the Fox River. Many details about data, technical approaches, and models.

13 May 1997: Boulder, CO meetings between FWS and Hagler Bailly on presentations.

14 May 1997: Boulder, CO meeting (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz) press conference details; memorandum of agreement with potentially responsible parties; tolling agreements. Meeting between trustees and Hagler Bailly on presentations.

15 May 1997: phone (David Allen, Mark Velleux) Mark Velleux: told potentially responsible parties no more meetings unless they proved constructive advice in writing, and Velleux will run the meetings; good opportunities for collaboration between DNR, FWS, and Quantitative Environmental Analysis Inc.; DNR can make model runs for FWS if enough lead time provided. Meeting (David

Allen, Janet Smith) Jay Johnson's press conference canceled; FWS will have its own public meeting; no pre-meeting between FWS and DNR, but DNR will attend the meeting between FWS and potentially responsible parties; location details for series of meetings.

19 May 1997: phone (David Allen, Bob Paulson) will start direct communication regardless of what senior managers at DNR and FWS set up formally.

20 May 1997: presentations by FWS and Hagler Bailly to potentially responsible parties on the Green Bay natural resource damage assessment. Questions and comments from the potentially responsible parties. Presentations by FWS (David Allen, Bill Hartwig) to general public on the Green Bay natural resource damage assessment.

21 May 1997: site visit (David Allen, Joan Goldfarb, Jim Hahnenberg, Roger Grimes). Presentations by FWS (David Allen, Bill Hartwig) to general public.

02 Jun 1997: phone (David Allen, Callie Bollatino) details for rough human health risk assessment in support of briefing for Tim Fields.

04 Jun 1997: phone (David Allen, Doug Beltman) updates; contacts; meeting summaries; lake trout samples. Phone (David Allen, Cam Davis) DNR assertions that Wisconsin is lead authority for Green Bay natural resource damage assessment has no legal basis; FWS willing to consider DNR as "lead administrative trustee" if we can find substantive agreement on how to conduct an assessment; tolling agreements; EPA and trustee authorities under Comprehensive Environmental Response, Compensation and Liability Act. Phone (David Allen, Dale Patterson) Patterson: Repap is a potentially responsible party; outfall near Deposit N; must be a de-inking facility. Phone (David Allen, Frank Horvath) information request needed for Repap to determine type of processes and location of outfalls. Phone (David Allen, Joan Goldfarb) information request from Repap; Ed Cohen met with Tim Fields and Steve Herman, and EPA needs more information for rough human health risk assessment. Phone (David Allen, Ernie Watkins of EPA, headquarters, Superfund) natural resource damage assessment questions from to EPA Assistant Administrators; Val Adamkus sent a letter in mid-May; timing of fishery closures; summary of fish consumption advisories; Hmong subsistence fishing; recent email traffic at EPA, Headquarters indicates that EPA may be getting cold feet about overruling a governor for National Priorities List listing. Phone (David Allen, Gary Amendola) updates. Phone (David Allen, Maureen Katz) Cynthia Hirsch would like to run a DNR workplan by David Allen and Jim Hahnenberg before it is finalized. Phone (David Allen, Joan Goldfarb) Goldfarb will tell Ed Cohen about the message from EPA, headquarters indicating "cold feet." Phone (David Allen, Tom Custer) waterfowl study work plan. Phone (David Allen, Tom Nelson) can David Allen give one-hour presentation to Oneida Tribe of Indians of Wisconsin Business Committee? Yes.

05 Jun 1997: phone (David Allen, Ernie Watkins) information from FWS was great; follow-up questions. Phone (David Allen, Susan Campbell) FWS fact sheets. David Allen presentation to Green

Bay Harbor Commission on the Green Bay natural resource damage assessment. David Allen transmittal of presentation slides to Emily Green, Cam Davis, Susan Campbell.

06 Jun 1997: meeting (David Allen, Mark Holey) lake trout study details. Phone (David Allen, John Lindsay) Montrose cleanup meetings mentioned Fox River as data-rich site for linking PCB pathways; U.S. Army Corps of Engineers discussions - Corps may prefer NOAA to take lead on Corps of trusteeship in Fox River. Phone (David Allen, Jim Hahnenberg) updates on briefing materials, public relations materials, and fact sheets. Phone (David Allen, Channel 5 News) David Allen gave number for Joan Guilefoyle. Phone (David Allen, Josh Lipton, Doug Beltman) tern injury assessment; lake trout study; waterfowl study; public meeting summary; EPA National Priorities List update; task breakout for contract; new data and reference sites; other updates.

09 Jun 1997: meeting (David Allen, Ken Stromborg, Mark Holey) updates. Phone (David Allen, Joan Goldfarb, Bob Rowe) economic assessment of tribal resources; recreational fishing damages study; subsistence fishing study; total value study; EPA updates; presentation updates. Phone (David Allen, Frank Horvath) conference call between Montrose and Fox River damage assessment teams; memo to seek litigation support funding. Conference call (David Allen, Frank Horvath, Josh Lipton, Doug Beltman, John Lindsay) EPA at Montrose vs. EPA at Green Bay; site similarities; atmospheric pathways vs. sediment pathways. Phone (David Allen, Josh Lipton) estimate of potential litigation costs for Green Bay natural resource damage assessment: discovery, interrogatories, case development, depositions, expert reports, exhibits, trial: \$1.3 million - \$2.0 million, not including attorney salaries.

11 Jun 1997: meeting (David Allen, Ken Stromborg, Joe Moniot) assessment updates. Phone (David Allen, Roger Grimes) DOI-EPA meetings and discussions. Phone (David Allen, Mark Velleux) discussions between FWS, DNR, and Quantitative Environmental Analysis Inc. about pathways, models, and model runs; timelines. Phone (David Allen, Dale Patterson) FWS information requests to Repap. Phone (David Allen, Jim Hahnenberg) FWS information to Ernie Watkins was helpful; Watkins briefed senior managers at EPA, Headquarters (three Assistant Administrators supportive, Administrator Browner's Chief of Staff Peter Robinson non-committal), should have decision today; if yes, then Dave Ullrich will ask George Meyer to join in negotiating with potentially responsible parties for orders for two remedial investigation/feasibility study (above and below De Pere Dam), w/DOI signed on to the order, which allows cleanup of site, cooperative process, and resolution of all liability; still worries about perception that EPA is mucking up the process; Dave Ullrich meeting with Representative Jay Johnson next week; Jim Hahnenberg working on remedial investigation/feasibility study schedule. Phone (David Allen, Frank Horvath) litigation support memo; updates. Phone (David Allen, Doug Beltman) updates. Phone (David Allen, Jim Hahnenberg) Jim Hahnenberg: Tim Fields says that EPA Administrator Browner approved the National Priorities List listing proposal. Phone (David Allen, Frank Horvath) Frank Horvath: John Christian said George Meyer asked him what would take to sign memorandum of agreement; John Christian now believes that Joan Goldfarb and Maureen Katz are stonewalling.

12 Jun 1997: phone (David Allen, Matt Richmond, Tony Giedt) National Priorities List listing decision. Phone (David Allen, Roger Grimes) information request letters (ok for DOI to send); EPA sending letter to Governor Thompson requesting his concurrence, emphasizing the problems of the River and the history of inaction; next week meetings between Dave Ullrich and: George Meyer, Congressional staff, potentially responsible parties, public. Phone (David Allen, Frank Horvath) Summit III. Phone (David Allen, Tony Giedt) Federal Family of trustees, EPA, DOJ much better chance of bringing DNR into the fold.

16 Jun 1997: phone (David Allen, Mike Anderson) lake trout study proposal by Don Tillitt; walleye PCB analyses; walleye study results; tern study, talked to Ken Stromborg; National Priorities List listing. Phone (David Allen, Jim Hahnenberg) meeting on July 11 between David Allen, Frank Horvath, Josh Lipton, and Jim Hahnenberg; Dave Ullrich meeting with Jay Johnson on Tuesday; conference call on Wednesday between Dave Ullrich and George Meyer; letter to Governor on Thursday, with press conference; then letters to potentially responsible parties; David Allen and Jim Hahnenberg will collaborate on ecological risk assessment, including an inter-agency agreement between EPA and FWS. Phone (David Allen, Maureen Katz) updates. Phone (David Allen, Josh Lipton) contractors, documents, and day-to-day coordination on natural resource damage assessment and remedial investigation/feasibility study (especially ecological risk assessment); avoid Clark Fork example of coordinating ecological risk assessment with natural resource damage assessment injury assessment; probably want to avoid using Hagler Bailly as EPA contractor on remedial investigation/feasibility study; timing of economics and remedial investigation/feasibility study; walleye study. Phone (David Allen, Greg Hill) Greg Hill natural resource damage assessment lead for DNR.

17 Jun 1997: EPA letter to Governor Thompson announcing intent to propose Fox River for the National Priorities List. Phone (David Allen, Hector Galbraith) tern study plans and details. Phone (David Allen, Frank Horvath) Bill Hartwig has copy of letter from Dave Ullrich to Carol Browner that is critical of the Fox River Coalition.

18 Jun 1997: phone (David Allen, Joan Goldfarb) litigation support document; memorandum of agreement. Phone (David Allen, John Lindsay) NOAA will become more involved in the EPA remedial investigation/feasibility study process. Phone (David Allen, Jim Hahnenberg) Dave Ullrich told George Meyer that DNR can lead remedial investigation/feasibility study process, but Jim Hahnenberg doubts that DNR will lead; EPA letter was faxed to Governor Thompson.

19 Jun 1997: phone (David Allen, Jim Hahnenberg) press stories on EPA letter to Governor Thompson; Senator Kohl staff upset; Senator Feingold staff not so upset. Phone (David Allen, Frank Horvath) press releases; information requests; litigation support document; meeting with Bill Hartwig. Phone (David Allen, Bill Hartwig) recreational fishing surveys; contingent valuation method issues.

20 Jun 1997: phone (David Allen, Maureen Katz) information requests and notice of intent to file suit letters are being sent; potentially responsible parties evaluating how National Priorities List listing

affects natural resource damage assessment discussions; timing of natural resource damage assessment settlements vs. remedy settlements. Phone (David Allen, Jim Hahnenberg) Dave Ullrich says to expedite! Conference call (David Allen, Josh Lipton, Rob Elliott, Don Tillitt) lake trout study; walleye study; restoration planning; human health risk assessment; economics and focus groups. Conference call (David Allen, Josh Lipton, Bob Rowe, Doug Beltman, Jim Hahnenberg, John Lindsay) EPA six-month schedule; EPA will try to have potentially responsible parties conduct feasibility study; remedial investigation/feasibility study schedules and plans; inter-agency agreement between EPA and DOI for remedial investigation/feasibility study support. Phone (David Allen, Frank Horvath) information requests delayed.

03 Jul 1997: Letter from Gov. Thompson to EPA about EPA request for concurrence from Wisconsin on Fox River cleanup. Letters from EPA to paper companies with special notices under Superfund.

07 Jul 1997: phone (David Allen, Jim Hahnenberg) technical meeting on remedial investigation/feasibility study in Madison, WI, tomorrow; Dave Ullrich and George Meyer talked, went well, DNR will take the lead on the remedial investigation/feasibility study; EPA/potentially responsible party meeting on July 25; Agency press conference on July 11; Agency hopes for final agreement with potentially responsible parties by January 31, but Hahnenberg thinks that is completely unrealistic; site visit on David Allen boat on Fox River; Bob Paulson and Bill Fitzpatrick came to EPA last week about Deposit N, Agency and Wisconsin oppose capping demonstration. Phone (David Allen, Greg Hill) DNR natural resource damage assessment meeting in Madison on Wednesday. Meeting (David Allen, Ken Stromborg) tern study. Phone (David Allen, Josh Lipton) try to set up time for direct staff conversations between FWS, EPA, and DNR at Madison meeting on remedial investigation/feasibility study. Phone (David Allen, Frank Horvath) Frank Horvath briefing Bill Hartwig in 10 minutes; Intergovernmental Partnership management committee with Bill Hartwig, Dave Ullrich, and George Meyer; John Christian as delegate and Frank Horvath as alternate; Mark Holey on restoration committee; Dave DeVault on modeling committee; David Allen on natural resource damage assessment committee; David Allen on sediment committee. Phone (David Allen, Maureen Katz) John Christian might meet with publicly operated treatment works about information requests; EPA and DOI will maintain separate administrative records but can rely on each other's records; Agency and Department will also maintain separate contracting. Phone (David Allen, Joan Goldfarb) economics assessment; remedial investigation/feasibility study; risk assessment. Conference call (David Allen, Joan Goldfarb, Bob Rowe) focus groups; public awareness about PCB and other issues; conjoint analysis; fishing trip values by species targeted; budgets for studies between economics side and science side; risk assessment; subsistence fishing. Phone (David Allen, Russ Kreis) issues running GBTOX model.

08 Jul 1997: Madison, WI: Intergovernmental Partnership meeting with FWS, DOJ, Wisconsin Department of Justice, EPA, DNR, NOAA, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin.

09 Jul 1997: Madison, WI: natural resource damage assessment technical meeting with FWS, DNR, Menominee Indian Tribe of Wisconsin, Oneida Tribe of Indians of Wisconsin; Mark Velleux opines

that he had a good meeting with David Glaser; David Allen: review of assessment of fish, mammals, economics; Josh Lipton: review of natural resource damage assessment theory; economics theory and discussion; navigational channel; FWS can comment on PTI (natural resource damage assessment consultant hired by potentially responsible parties for DNR) natural resource damage assessment proposals. Phone (David Allen, Matt Richmond) Intergovernmental Partnership.

10 Jul 1997: field trip of Fox River [David Allen, Janet Smith, Joe Moniot, John Lindsay, Red Peterson, Joe Bonetti (U.S. Army Corps of Engineers), Bri Bill, Jim Hahnenberg, Doug Tomchuk (EPA, Region 2, Remedial Project Manager for Hudson River)].

11 Jul 1997: formation of the Intergovernmental Partnership between EPA, DNR, federal and tribal co-trustees.

14 Jul 1997: Washington, D.C.: David Allen presentation on Green Bay natural resource damage assessment to Senator Glenn's Midwest/Northeast Coalition; presentations by Charlie Wooley, TJ Miller, Dan Sparks (FWS, Bloomington, IN); questions on trusteeship and jurisdiction by Governor Thompson's staffer Scott R. Smith; Smith also said he heard that EPA might not really list Fox River on the National Priorities List.

15 Jul 1997: phone (David Allen, Donovan Robin of EPA) document needs for National Priorities List listing process. Phone (David Allen, Doug Beltman) assessment plan addendum; PTI proposal for natural resource damage assessment; pathway congener experts; pathway experts; modeling experts; Quantitative Environmental Analysis Inc. review of Fox River PCB fate and transport models; DDE; walleye injuries; memorandum of understanding and press. Phone (David Allen, Frank Horvath) de minimis potentially responsible parties.

16 Jul 1997: phone (David Allen, Roger Grimes) Dave Ullrich want FWS to be careful to not appear to celebratory about EPA National Priorities List listing, especially overruling Governor Thompson. Phone (David Allen, Rich Geiger of Senator Kohl's staff) incinerators planned by Fox River potentially responsible parties? Probably not because costly. Phone (David Allen, Jim Hahnenberg) how to manage separate administrative records and contracting for FWS and EPA; Manistique, MI site visit plans; technical presentation plans. Phone (David Allen, Hector Galbraith) tern study.

17 Jul 1997: phone (David Allen, Donovan Robin) EPA coming to Green Bay FWS for documents for National Priorities List listing (Tuesday - Thursday). Phone (David Allen, John Lindsay) NOAA assistance on pathways experts. Phone (David Allen, Bri Bill) meeting plans. Phone (David Allen, Jim Hahnenberg) meetings with municipalities. Phone (David Allen, Maureen Katz) potentially responsible party settlement options; municipalities; Representative Jay Johnson.

18 Jul 1997: meeting (David Allen, Mark Holey) memorandum of agreement for restoration committee; walleye study; lake trout study; funding for Green Bay Field Office and Green Bay Fishery Resources Office; tern study; ecological risk assessment. Phone (David Allen, Frank Horvath) municipalities.

21 Jul 1997: conference call (David Allen, Joan Goldfarb, Bob Rowe, Earl Ray Hutchison) Hmong subsistence fishing.

22 Jul 1997: phone (David Allen, Don Tillitt) budgets; lake trout study. Meeting (David Allen, Donovan Robin) documents for National Priorities List listing. Phone (David Allen, Kris Goodwill) municipalities.. Phone (David Allen, Matt Richmond) updates.

23 Jul 1997: phone (David Allen, Jim Hahnenberg) DNR talking about Bruce Baker as Remedial Project Manager; very important for EPA to maintain final authority. Phone (David Allen, Frank Horvath) Wisconsin remedial project manager; inter-agency agreement with Don Tillitt; Mark Holey on restoration committee; assessment plan addendum. Phone (David Allen, Joan Goldfarb) DePere; National Pollutant Discharge Elimination System and applications; Wisconsin remedial project manager; too early for global settlements, need remedial investigation/ feasibility study and natural resource damage assessment results; too many proposed meetings (Fox River Coalition, Remedial Action Plan, management committee, settlement discussions, sub-committees, public meetings, internal meetings). Phone (David Allen, Roger Grimes) EPA orders; action and tolerance levels for fish consumption advisories; all fish vs. sport fish; Bruce Baker as Remedial Project Manager; Wisconsin/ potentially responsible party demonstration projects; Wisconsin/EPA dispute resolution, particularly if two remedial project managers. Phone (David Allen, Joan Goldfarb) secondary fiber vs. recycled broke; questions from Steve Jawetz. Phone (David Allen, Doug Beltman) assessment plan addendum; FWS/Quantitative Environmental Analysis Inc. modeling for DNR; updates.

24 Jul 1997: meeting (David Allen, Frank Horvath) updates and plans. Meeting (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz, Tony Giedt) updates and plans. Meeting of the Intergovernmental Partnership in Green Bay: municipalities; Representative Jay Johnson; memorandum of agreement development (Bill Hartwig and George Meyer); potentially responsible party meeting; Wisconsin/potentially responsible party demonstration projects (George Meyer); Wisconsin willing to contribute significant money to PCB cleanup (George Meyer); remedial investigation/feasibility study should not prevent early settlement with potentially responsible parties (George Meyer); EPA will give potentially responsible parties a draft administrative order on consent after Wisconsin comments (Dave Ullrich). Meeting between governments and municipalities: memorandum of agreement (George Meyer); Superfund (Dave Ullrich); natural resource damage assessment (Bill Hartwig); WI process (George Meyer); Superfund site examples (Jim Hahnenberg).

28 Jul 1997: phone (David Allen, Joan Goldfarb) review of meeting between governments and potentially responsible parties: potentially responsible parties obviously knew what George Meyer was going to say; potentially responsible parties want demonstration projects to complete before moving on other fronts. Meeting (David Allen, Mark Holey) walleye study; restoration committee; lake trout study. Phone (David Allen, Doug Beltman) assessment plan addendum; funding; scaling restoration. Conference call (David Allen, Frank Horvath, Mark Holey) restoration committee: Frank Horvath met with Bill Hartwig and John Christian about moving natural resource damage assessment forward while meeting George Meyer's requests for settlement positions by February 1; Bruce Baker

at post-potentially responsible party meeting said four workgroups, including principals, attorneys, and technical; David Mandelbaum wants no decisions until Wisconsin/potentially responsible party demonstration projects completed; management committee phone calls to decide work groups; settlement process and strategies; walleye study; Fox River Coalition.

29 Jul 1997: phone (David Allen, Jim Hahnenberg) Manistique, MI field trip; settlement factors; potentially responsible party meeting - reporters wanted to interview Bill Hartwig rather than George Meyer; potentially responsible parties skeptical about February 1 settlement proposed by George Meyer; EPA final authority for administrative orders. Phone (David Allen, Doug Beltman) assessment plan addendum; restoration scaling; funding; comments on Wisconsin/PTI natural resource damage assessment proposals.

30 Jul 1997: Manistique, MI PCB cleanup site visit.

31 Jul 1997: phone (David Allen, Joan Goldfarb) settlement issues. Phone (David Allen, Maureen Katz) settlement issues. Phone (David Allen, Frank Horvath) settlement issues; Shelly Hall back as natural resource damage assessment manager, with John Carlucci reporting to her; U.S. Army Corps of Engineers; updates. Phone (David Allen, Jim Hahnenberg) contractors for demonstration projects; Skip Missmer; Fox River Coalition; meetings; updates.

01 Aug 1997: phone (David Allen, Doug Beltman) settlement issues. Phone (David Allen, Jim Hahnenberg) settlement issues.

04 Aug 1997: phone (David Allen, Hahnenberg) scaling; co-planer PCBs in mass balance study; agendas and meetings.

05 Aug 1997: phone (David Allen, Doug Beltman) prioritization for funding; Mark Velleux proposal for Quantitative Environmental Analysis Inc. to provide DNR with model runs; assessment plan addendum; strategies for developing information and properly timing negotiations. Phone (David Allen, Joan Goldfarb) Goldfarb will talk to Bill Hartwig about John Christian.

07 Aug 1997: phone (David Allen, Jim Hahnenberg) modeling questions; performance-based record of decision linked to models to make settlement possible by February 1998? Phone (David Allen, Joan Goldfarb) DNR hired Keith Easton (originally from DOI, Office of the Solicitor, Division of Conservation and Wildlife) to help DNR with natural resource damage assessment; strategies for dealing with Wisconsin technically, legally, politically; how to deal with February 1998 settlement deadline. Phone (David Allen, Frank Horvath) Frank Horvath: Bob Paulson says that George Meyer expects a candid presentation by FWS of natural resource damage assessment position to potentially responsible party Chief Executive Officers; David Allen can call John Christian if want to discuss further; David Allen: Frank Horvath or John Christian have to be in charge, one, not both. Phone (David Allen, Bob Paulson) Paulson: DNR wants FWS to help convince potentially responsible party Chief Executive Officers that we have a case now; David Allen: February 1998 is unrealistic. Phone

(David Allen, Joan Goldfarb, Maureen Katz) George Meyer does not like agenda because it implies Wisconsin buy-in to Comprehensive Environmental Response, Compensation and Liability Act.

12 Aug 1997: phone (David Allen, Frank Horvath) Frank Horvath met with Bill Hartwig and John Christian; Hartwig says that Frank Horvath is in charge and John Christian will back away from the Green Bay natural resource damage assessment; Hartwig has three principles for the negotiation: all memorandum of agreement signatories at all meetings with potentially responsible parties; FWS will have a range of settlement options by December 1997; natural resource damage assessment must be completed by December 1998; Frank Horvath now represents Bill Hartwig on the memorandum of agreement; John Christian's role was on the collaborative process leading to memorandum of agreement, which is complete; John Christian can keep Congressional staffers informed with updates; Frank Horvath and David Allen strategies and updates. Phone (David Allen, Joan Goldfarb) FWS command line for Green Bay natural resource damage assessment is now Bill Hartwig (with DOI delegation of authority) to Frank Horvath to David Allen; information requests. Conference call between DOI, Tribes, NOAA, EPA, DOJ: DNR likely to argue that Fox River remedial investigation/feasibility study is already complete and no more Comprehensive Environmental Response, Compensation and Liability Act process is required; can FWS/Hagler Bailly/Quantitative Environmental Analysis Inc. provide model evaluation tomorrow? no; NOAA, U.S. Army Corps of Engineers, navigation channel issues must be addressed; George Meyer has created an alternative agenda for meeting with the potentially responsible party Chief Executive Officers.

13 Aug 1997: Chicago, IL: Intergovernmental Partnership meeting: Dave Ullrich, George Meyer, Bill Hartwig on how to make settlement negotiations work; Bruce Baker on remediation approaches; Jim Hahnenberg on Comprehensive Environmental Response, Compensation and Liability Act process; Bruce Baker, Mark Velleux, Bob Paulson, Bill Fitzpatrick on technical approach: disagreement between federal staffers and WI staffers on the sufficiency of technical links between cleanup/restoration costs, injuries/risks, and values/risk reduction.

14 Aug 1997: Chicago, IL: Intergovernmental Partnership meeting with potentially responsible parties: George Meyer: explanation of agendas. Dave Ullrich: EPA process. Jim Hahnenberg: National Priorities List listing process. Bruce Baker: DNR technical information (Mark Velleux on modeling; Bill Fitzpatrick on engineering; Bob Paulson on risk and options). David Allen: natural resource damage assessment summary. Mark Brown: issues that divide the parties: modeling; risk assessment; cost effectiveness of dredging; effectiveness of dredging; links between models, risk, and risk reduction. Andy Schlickman administrative order issues. George Meyer: process and issues for global settlement: how much information needed to reach settlement? Dave Ullrich: remedial investigation/feasibility study; time is of the essence because of PCB movement in the river. PCB fate and transport modeling meeting (David Allen, Doug Beltman, Mark Velleux, Bob Paulson, Mark Brown, Mark ? from PTI) modeling high flow conditions is key.

15 Aug 1997: phone (David Allen, Donovan Robin) information and data for National Priorities List listing.

18 Aug 1997: phone (David Allen, Frank Horvath) settlement strategies; restoration planning; Brenda Jones assigned to risk assessment for Green Bay; Hagler Bailly budget and status; modeling; di minimis settlements.

26 Aug 1997: Twin Cities, MN: meeting (David Allen, Frank Horvath); meeting (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb); meeting (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb, John Christian, Bill Hartwig); meeting (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb); meeting (David Allen, Frank Horvath) di minimis settlements; Intergovernmental Partnership settlement process; restoration planning; remedial investigation/feasibility study.

27 Aug 1997: meetings (David Allen, Ken Stromborg, Janet Smith, Mark Holey, Joe Moniot) restoration planning. Phone (David Allen, Tom Eggert) Eggert being dragged back onto natural resource damage assessment; Eggert unhappy that potentially responsible parties hired PTI for DNR rather than letting Wisconsin hire its own experts; unhappy with Keith Easton (Kevin Ward recommended, according to Greg Hill); unhappy with February 1998 deadline - no basis for settlement yet; hoping to find an economist like Rich Bishop. Phone (David Allen, Frank Horvath) David Allen to engage Brenda Jones on risk assessment.

28 Aug 1997: phone (David Allen, Jim Hahnenberg) risk assessment; disagreements between EPA and DNR about Agency, Wisconsin, or potentially responsible party lead (Agency and FWS oppose Wisconsin as intermediary between Agency/Service and potentially responsible parties). Phone (David Allen, Donovan Robin) National Priorities List listing information. Meeting (David Allen, Ken Stromborg) Science and Technical Advisory Committee update. Meeting (David Allen, Janet Smith) George Boronow leading a DNR natural resource damage assessment restoration planning effort, in conjunction with Science and Technical Advisory Committee.

08 Sep 1997: meeting (David Allen, Mark Holey) restoration planning; walleye study. Phone (David Allen, Joan Goldfarb) assessment plan addendum; George Meyer pushing for small-group negotiations between Intergovernmental Partnership and potentially responsible parties; legal team working on administrative orders; conjoint analysis on recreational fishing damages study, rather than contingent valuation method. Phone (David Allen, Frank Horvath) Bill Hartwig and John Christian critical of FWS restoration planning efforts so far; Brenda Jones and risk assessment. Phone (David Allen, Jim Hahnenberg) EPA beginning negotiations on completion of remedial investigation/feasibility study. Phone (David Allen, Doug Beltman) restoration planning; assessment plan addendum.

09 Sep 1997: phone (David Allen, Mark Velleux) model development; detailed discussion of issues between DNR and potentially responsible parties. Phone (David Allen, Dale Patterson) historical records for hind-casting with models. Phone (David Allen, Susan Campbell) results of natural resource damage assessment presentation; long discussion for article on Sunday.

10 Sep 1997: phone (David Allen, Doug Beltman, Brenda Jones) biological technical assistance group for Green Bay remedial investigation/feasibility study.

11 Sep 1997: Milwaukee, WI meeting on remedial investigation/feasibility study (FWS, Oneida Tribe of Indians of Wisconsin, EPA, DNR, Wisconsin Department of Justice) Milt Clark environmental endpoints. Bruce Baker: problems with including more stringent subsistence fishing in risk assessment. Bob Paulson: whether to include endpoints in Green Bay. DNR emphasis on global settlement discussions; EPA emphasis on remedial investigation/feasibility study development.

12 Sep 1997: Milwaukee, WI meeting (FWS, NOAA, Oneida Tribe of Indians of Wisconsin, EPA, DOJ, DNR, Wisconsin Department of Justice) George Meyer->Bill Hartwig->Frank Horvath->David Allen: resolve modeling issues between DNR and FWS; review of yesterday's meeting; George Meyer: small group negotiations with potentially responsible parties for global settlement; Roger Grimes: potentially responsible party attorneys pushing for congener-specific risk assessment, not water quality standards-based as proposed by DNR; public participation strategies; how to structure actual agreement; public relations; Bob Paulson updates on Sediment Management Unit 56/57 demonstration project (State/potentially responsible party agreement), modeling, restoration planning.

15 Sep 1997: phone (David Allen, Rebecca Renner) natural resource damage assessment primer; damages; restoration projects; baseline; economics; size of other cases; other natural resource damage assessment contacts. Meeting (David Allen, Mike Anderson, Mark Holey) lake trout study.

16 Sep 1997: meeting (David Allen, Tom Custer, Chris Custer) waterfowl study; Shelly Hall and DOI pushing Whitewood Creek, SD natural resource damage assessment, but no habitat for fish and wildlife. Phone (David Allen, Frank Horvath) restoration planning. Phone (David Allen, Joan Goldfarb) Goldfarb and Maureen Katz think Hagler Bailly should do risk assessment for remedial investigation/feasibility study.

17 Sep 1997: meeting (David Allen, Mark Holey) walleye study. Phone (David Allen, Doug Beltman) risk assessment would require segregation of personnel within Hagler Bailly, but might be possible. Phone (David Allen, Joan Goldfarb) Goldfarb all talk to Roger Grimes about Hagler Bailly on risk assessment. Phone (David Allen, Bob Paulson) David Allen: Hagler Bailly probably can work on risk assessment for remedial investigation/feasibility study. Phone (David Allen, Donovan Robin) National Priorities List listing information. Phone (David Allen, Doug Beltman) Quantitative Environmental Analysis Inc. on modeling and quality assurance/quality control efforts to help DNR. Phone (David Allen, Frank Horvath) Bill Hartwig moved John Christian off of restoration planning; Christian reportedly disappointed. Phone (David Allen, Matt Richmond) updates.

18 Sep 1997: meeting (David Allen, Ken Stromborg) budgets. Conference call (David Allen, Roger Grimes, Jim Hahnenberg, Brenda Jones, Joan Goldfarb, Maureen Katz) risk assessment for remedial investigation/feasibility study; how to use Hagler Bailly directly and indirectly; how to coordinate overlap with natural resource damage assessment. Phone (David Allen, Joan Goldfarb, Maureen Katz) Green Bay Mass Balance Study. Phone (David Allen, Frank Horvath) modeling; lake trout; budgets; Green Bay natural resource damage assessment now #2 on DOI national ranking of natural resource damage assessments for budgets. Meeting (David Allen, Mark Holey) lake trout; budgets; natural

resource damage assessment. Phone (David Allen, Maureen Katz) EPA will encourage DNR to rely on Hagler Bailly for risk assessment, but will use separate contractor for actual document; EPA reluctant to intervene in potentially responsible party influence on DNR choice of contractors; modeling; biological technical assistance group. Phone interview (David Allen, Susan Kazmierczak of WI Public Radio) Green Bay natural resource damage assessment.

19 Sep 1997: Green Bay, WI: DNR-led restoration planning meeting: George Boronow introduction and purpose; David Allen caveats and explanation of differences between Intergovernmental Partnership memorandum of agreement, Wisconsin/potentially responsible party agreement, federal/tribal/potentially responsible party negotiations; groups with relevant information; boundaries; prioritization; Bill Desvougues develop list vs. propose list; David Allen important to develop and follow objective restoration criteria before deliberating on priorities for restoration; project briefs; schedule; Bill Desvougues iteration; assignments; potentially responsible party efforts.

22 Sep 1997: Green Bay meeting [David Allen, Frank Horvath, Joan Guilefoyle, Dale Burkett (FWS, Region 3), Bob Foster (FWS, Region 3)] Burkette met with Bill Hartwig; process not called restoration planning; public meeting with FWS, EPA, DNR; package to John Christian to add Service interests. Phone (David Allen, Bob Rowe, Doug Beltman) how to gather information for natural resource damage assessment restoration planning from the DNR Boronow Group; restoration planning criteria. Conference call (David Allen, Frank Horvath, Doug Beltman, John Connelly, David Glazer, Kirk Ziegler, Mark Velleux, Bob Paulson) modeling; coordination; detailed modeling plans; modeling code; schedule; technical details.

23 Sep 1997: Chicago, IL biological technical assistance group meeting: Brenda Jones biological technical assistance group process; Bob Paulson Fox River site introduction; Jim Hahnenberg remedial investigation/feasibility study process; Doug Beltman natural resource damage assessment; site visit plans and next steps.

24 Sep 1997: Chicago, IL meeting (FWS, NOAA, DOJ, EPA, U.S. Army Corps of Engineers, DNR) U.S. Army Corps of Engineers projects on Fox River and Green Bay; Jim Hahnenberg National Priorities List listing; U.S. Army Corps of Engineers worried about potential liability; Bob Paulson restrictions on open-water disposal; most liability will likely be private; dredging issues; U.S. Army Corps of Engineers authorities for habitat enhancement.

25 Sep 1997: Green Bay, WI meeting (David Allen, Maureen Katz), Katz: potentially responsible parties bringing lawyers to meeting with government, tomorrow; review of technical issues for discussion at meeting. Phone (David Allen, Maureen Katz) agreement-in-principle for tolling agreement; potentially responsible parties may want more technical details from Hagler Bailly at next meeting. Phone (David Allen, Joan Goldfarb) Shelly Hall wants DOI money for Whitewood Creek, wants less money to go to Green Bay. Phone (David Allen, Roger Grimes) Grimes: meeting with DNR is on; George Meyer seems desperate.

26 Sep 1997: Chicago, IL meeting (governmental parties pre-meeting) George Meyer says potentially responsible parties are agreeable; listen to potentially responsible parties then meet among selves; Cynthia Hirsch: potentially responsible parties want the meeting to be confidential. Meeting between potentially responsible parties and governmental parties: Dave Ullrich: time of the essence for River cleanup projects; Andy Schlickman: response to previous meetings; technical presentations; framework for settlement. Mark Brown: summary of what to do with PCBs; natural recovery effective; dredging will underperform and less effective than natural recovery; governments have been predisposed to equate PCB mass removal with risk reduction; don't always need rigorous study to determine cleanup; other PCB sites not good models for Fox River; no room for PCB disposal for Fox River; Fox River surface sediments have low PCBs and lower than deeper. Doug McLaughlin: PCB levels in fish are declining; PCBs in surface sediments are declining. Mark Brown: mass balance modeling needs improvements, especially to model natural recovery (details); hindcasting; examples of problems with current models. Andy Schlickman: trying to narrow issues; will take longer than February 1998; potentially responsible parties have strong positions regarding PCBs. John Hanson: sediment management projects plus restoration projects need proper balance; restoration projects have lower risk and higher benefit; balance towards restoration vs. sediment; if governments try to balance towards sediment, negotiation required; risk reduction must balance long term and short term; Fox River in phases to allow more data collection; must consider natural recovery and institutional controls over proper time frames; must consider private and public potentially responsible parties, including U.S. Army Corps of Engineers; decide together who implements projects; must address potentially responsible parties not at the table; covenant not to sue must cover all liability. George Meyer: do we need to agree to certain things before small-group negotiations?; May have different balance of sediment vs. restoration. Governmental Party meeting: George Meyer: we can address the technical issues. Dave Ullrich: we're further apart than previous meeting. David Allen: trustees are focused on breaking the PCB pathway from sediments, not other restoration projects. Bruce Baker: we can't just reject the potentially responsible parties, they'll go elsewhere. Meeting with potentially responsible parties and governments: George Meyer: far apart, but can still find way to settle now, even with information gathering. Dave Ullrich: concepts fine, details are key; very far apart; need decisions on how best to proceed. David Allen: sediment restoration to break PCB pathway is central to the natural resource damage assessment, not secondary restoration as alternative. John Hanson: concerned that far apart, want to discuss the details. Much discussion about how to proceed. Government meeting: George Meyer: disagree with potentially responsible parties but they have logical positions. Much discussion about how to proceed. Meeting with potentially responsible parties and governments: governments: agree to discuss technical issues but skeptical that it will resolve disagreements.

29 Sep 1997: phone (David Allen, Jim Hahnenberg) updates on the meeting; strategies for proceeding. Phone (David Allen, Bob Paulson) strategies for proceeding; Paulson will send email to David Allen and Jim Hahnenberg. Phone (David Allen, Mark Velleux) Velleux issues with potentially responsible party presentations on modeling.

30 Sep 1997: phone (David Allen, Doug Beltman) PCB modeling issues for cleanup discussions; PCB modeling plans for natural resource damage assessment. Bird injury report progress and details.

01 Oct 1997: phone (David Allen, Joan Goldfarb) funding justifications for Green Bay natural resource damage assessment. Phone (David Allen, Bob Paulson) Paulson talked to John Hanson about next steps. Phone (David Allen, Jim Hahnenberg, Bob Paulson) details about conversation between Paulson and John Hanson RE next steps on technical discussions; possible next steps by DNR, EPA, FWS on technical issues. Phone (David Allen, Frank Horvath) updates on next steps for technical discussions; updates on natural resource damage assessment. Phone (David Allen, Maureen Katz) updates.

02 Oct 1997: phone (David Allen, Donovan Robin) quality assurance/quality control for National Priorities List listing. David Allen edit goal statement from Bob Paulson. Phone (David Allen, Maureen Katz) plans and strategies for next meeting with potentially responsible parties. Phone (David Allen, Dale Patterson) plans and details for PCB model runs; George Meyer personally involved in decisions on which model runs will be included. Phone (David Allen, Gary Amendola) details on information requests and analysis of PCB releases. Phone (David Allen, Bob Paulson) Paulson talked with John Hanson again; potentially responsible parties will create list of conclusions from meeting; governments can agree or disagree, but if latter explain why; agreements can occur within a “settlement tent” of issues.

06 Oct 1997: phone (David Allen, Doug Beltman) details about Quantitative Environmental Analysis Inc. review of PCB models for Fox River and Green Bay. Phone (David Allen, Jeff Lazo) total value study details. Phone (David Allen, Doug Beltman) restoration planning details, plans, assignments.

07 Oct 1997: phone (David Allen, Joan Goldfarb) conjoint vs. contingent valuation; funding details, how to deal with Shelly Hall and Steve Lynscheid on funding and regulations; plans and strategies for natural resource damage assessment and coordination on cleanup. David Allen review of potentially responsible party “good faith offer” sent by Jim Hahnenberg; dispute resolution looks fine; omission of existing data unacceptable; potentially responsible party risk assessment unacceptable; U.S. permits problematic; cover letter use of “otherwise scheduled” is interesting; “otherwise scheduled” in administrative order on consent problematic.

08 Oct 1997: phone (David Allen, Frank Horvath) DOI natural resource damage assessment funding meeting yesterday was a disaster; \$700k to Whitewood Creek (Shelly Hall); Green Bay funding attacked by Roger Helms, Pete Escherich, Frank Deluise, Shelly Hall, mostly to cover Coeur D’Alene and Whitewood Creek; Bill Hartwig is engaging to remind them that the funding is completely in line with previous requests and projections - don’t cut us off in mid-step! Phone (David Allen, Jim Hahnenberg) details on potentially responsible party “good faith offer.” Phone (David Allen, Susan Schneider) DOJ should weigh in on relative importance of Green Bay and Whitewood Creek. Phone (David Allen, Maureen Katz) DOJ should weigh in on Green Bay funding. Phone (David Allen, Josh Lipton) emergency meeting in D.C. to address issues on economics strategies and methodologies; Josh Lipton told Whitewood Creek trustees that they have overestimated the value of Whitewood Creek and that their funding request is immoral; looks like a chance to fund 50 trustee representatives from DOI, including much tribal involvement. Phone (David Allen, Jim Hahnenberg) David Allen to come

to meeting between EPA and potentially responsible parties. Phone (David Allen, Frank Horvath) economics summit in D.C. to explain Green Bay approach.

09 Oct 1997: phone (David Allen, Frank Horvath) Frank Horvath: Frank Deluise approached TJ Miller: David Allen better back off on the pressure to fund Green Bay natural resource damage assessment or disciplinary action will follow; Frank Horvath wants David Allen to remain effective so be careful; David Allen: no basis for disciplinary action, but if somebody thinks so, they should definitely proceed; have not questioned anybody's authority; emails have been appropriate to determine how Whitewater Creek decision was actually made; regardless, David Allen willing to let DOI staffers (including Bill Hartwig) negotiate among themselves about funding w/o further emails about Whitewood Creek; DOJ may continue to raise heat, which is appropriate; documentation of funding decisions at Green Bay natural resource damage assessment still a priority for David Allen.

15 Oct 1997: phone (David Allen, Maureen Katz) PCB modeling questions; looks like potentially responsible party demonstration projects under State/Company agreement are to prove dredging ineffective; George Meyer upset with meeting with potentially responsible parties; potentially responsible parties accusing George Meyer of bad faith; updates on Gary Amendola efforts regarding PCB releases; tolling agreement update. Phone (David Allen, Tom Custer) waterfowl sampling details. Phone (David Allen, Roger Grimes) Wisconsin/potentially responsible party meeting updates. Phone (David Allen, Doug Beltman) restoration planning details; economics details; bird injury details; PCB pathway details. Phone (David Allen, Frank Horvath) Bill Hartwig will meet with Ben Fisherow, Pete Raynor, and Jamie Clark; lake trout update; TJ Miller on Frank Deluise incident: "never mind."

16 Oct 1997: phone (David Allen, Donovan Robin) National Priorities List updates. Phone (David Allen, Bob Rowe) strategy for economics meeting for DOI; discussion of Shelly Hall backing Whitewood Creek. Meeting (David Allen, Mark Holey) Ken Stromborg upset about lake trout work and money going through natural resource damage assessment; TJ Miller will try to explain to Ken Stromborg.

20 Oct 1997: Milwaukee, WI meeting between governments and potentially responsible parties: many, many technical discussions without much agreement.

21 Oct 1997: Washington, D.C.: DOI meeting about Green Bay natural resource damage assessment, particularly economics strategies: many questions, much technical discussion, apparent agreement that economics strategies are sound (DOI and DOJ).

22 Oct 1997: Boulder, CO: restoration planning meeting: David Allen conduit between Hagler Bailly and locals; technical details; strategies and approaches for gathering and using information.

23 Oct 1997: Boulder, CO: restoration planning meeting: review of yesterday; detailed plans for finalization and public release of assessment results; coordination with remedial investigation/feasibility study process.

24 Oct 1997: Green Bay, WI: meeting (David Allen, Ken Stromborg, Mark Holey) restoration planning details and approach and assignments; lake trout study; coordination with the DNR "Boronow Group" for restoration planning.

27 Oct 1997: Chicago, IL: meeting between governments and potentially responsible parties: detailed discussions about short-term settlement discussions vs. longer term remedial investigation/feasibility study process; detailed technical discussions without much agreement; George Meyer: simplistic tutorial on principles of negotiation; Bruce Baker: simplistic presentation on relationship between PCB mass removal and cost (without links to risk reduction); DNR overconfident that settlement can be reached based on current information and leverage; potentially responsible parties satisfied to play to the wedge between Wisconsin and federal agencies; federal agencies trying to build leverage against potentially responsible parties in face of potentially responsible party and Wisconsin objections; continuation of the same theme.

28 Oct 1997: phone (David Allen, Donovan Robin) Robin leaving EPA, but National Priorities List listing work is nearly complete. Meeting (David Allen, Frank Horvath, Ken Stromborg, Janet Smith) restoration planning; updates. Meeting (David Allen, Frank Horvath) natural resource damage assessment data collection, analyses, report of assessment; assessment plan addendum soon; strategies for natural resource damage assessment catalyzing federal global positions on cleanup and restoration, then governmental positions on same, then potentially responsible party positions on same: 1) PCBs from Fox River to huge area for a long time; 2) PCBs causing harm; 3) governments are charged with taking action; 4) restoration planning based on criteria and process that can address everybody's lists of potential actions.

29 Oct 1997: Milwaukee, WI meeting between governments and potentially responsible parties: more of the same.

30 Oct 1997: Green Bay, WI meeting (David Allen, Ken Stromborg, Joe Moniot) restoration planning; how to involve the Science and Technical Advisory Committee; tensions caused by the natural resource damage assessment on regular FWS programs. Phone (David Allen, Maureen Katz) strategies for catalyzing global settlements in the longer run. Phone (David Allen, Doug Beltman) Quantitative Environmental Analysis Inc. analysis of PCB models on upper-Lower Fox River. Phone (David Allen, Frank Horvath) Bill Hartwig talked to Shelly Hall and others at DOI: Green Bay natural resource damage assessment likely to receive requested money; Bill Hartwig reports that George Meyer is floundering, discussions going nowhere.

Oct 1997: 1st assessment plan addendum.

03 Nov 1997: phone (David Allen, Jim Hahnenberg) Hahnenberg reports that Dave Ullrich talked to Congressman Jay Johnson about keeping the remedial investigation/feasibility study moving forward.

04 Nov 1997: Madison, WI meeting (David Allen, Joe Moniot, Mark Velleux) details on how Velleux can work with Quantitative Environmental Analysis Inc. to help with his technical discussions with

potentially responsible parties. Meeting (David Allen, Joe Moniot, Gary Amendola, Dale Patterson) detailed discussion of PCB release data and information collected by FWS so far; comparison with DNR information.

10 Nov 1997: phone (David Allen, Doug Beltman, Kirk Ziegler, David Glaser) details on how to coordinate and work with Mark Velleux to help his technical discussions with potentially responsible parties.

13 Nov 1997: Milwaukee, WI meeting between governments and potentially responsible parties: discussion of Manistique Harbor dredging; potentially responsible parties on better behavior than usual, possibly hoping to keep EPA from acting unilaterally; long discussion about using water quality standards as endpoint/goal; long discussion about PCB mass removal as technique; discussion of work groups and products; recognition that governments and potentially responsible parties remain very far apart. Governmental party discussion: Dave Ullrich: may be time soon to start pressing the remedial investigation/feasibility study as method to reach resolution; George Meyer: do not talk to public about this, but some apparent agreement about possibly using remedial investigation/feasibility study. Governments to potentially responsible parties: need concrete proposals about how to fix the problem.

14 Nov 1997: Madison, WI meeting (David Allen, Gary Amendola, Dale Patterson) PCB release analyses; hind casting. Phone (David Allen, Frank Horvath, Joe Moniot) Frank Horvath: Bill Hartwig exploring de minimis settlements.

17 Nov 1997: Green Bay, WI meeting (David Allen, Mark Holey) restoration planning; meet with George Boronow soon. Phone (David Allen, Tom Custer) waterfowl sampling done.

18 Nov 1997: phone (David Allen, Jim Hahnenberg) how did DOI reach decision to lead natural resource damage assessment without potentially responsible parties; EPA may not allow Fox River potentially responsible parties to perform remedial investigation/feasibility study (55 other places with same decision).

19 Nov 1997: meeting (David Allen, Frank Horvath, TJ Miller, Janet Smith, Mark Holey, Pat ?; Dale ?) restoration planning criteria discussion. Phone (David Allen, Joan Goldfarb) confidential business information; assessment plan addendum; restoration planning.

21 Nov 1997: phone (David Allen, Frank Horvath) Horvath: long conversation with Howard Zar about FWS-EPA relationship; Joan Goldfarb reports that EPA National Priorities List listing package went to EPA, Headquarters. Phone (David Allen, Bob Rowe) economics studies for natural resource damage assessment; Betsy David; focus groups; restoration planning. Phone (David Allen, Tom Eggert) two choices for economics coordination on natural resource damage assessment: 1) explicit official merging of natural resource damage assessments with complete access by DNR to FWS economics work; or 2) Service assumes continued unrestricted access by Wisconsin to potentially

responsible parties (so Wisconsin has to wait on many details). Meeting (David Allen, Mark Holey) restoration planning; DNR Boronow meetings.

01 Dec 1997: meeting (David Allen, Ken Stromborg) updates on Science and Technical Advisory Committee and restoration planning. Phone (David Allen, Doug Beltman) discussions with Bob Paulson about restoration planning and Boronow meetings; preliminary estimate of damages; schedule for natural resource damage assessment final reports; lake trout updates; modeling and Mark Velleux.

02 Dec 1997: Science and Technical Advisory Committee meeting: David Allen presentation on natural resource damage assessment and restoration planning. Phone (David Allen, Tom Eggert) whether and how to merge FWS and DNR on economics.

03 Dec 1997: Twin Cities, MN: meeting (David Allen, Frank Horvath, John Lindsay) NOAA intelligence on EPA, Headquarters (Tim Fields) deliberations about Fox River National Priorities List listing; Agency Headquarters nervous.

04 Dec 1997: Twin Cities, MN meeting (David Allen, Frank Horvath) \$1.8 million available to Green Bay natural resource damage assessment this year; 1999 budgetary projections; detailed budget plans. Phone (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz) EPA National Priorities List listing and remedial investigation/feasibility study.

05 Dec 1997: Oneida, WI: meeting (David Allen, Frank Horvath, Mark Holey, Tom Nelson, Pat Pelky) EPA updates; restoration planning; cultural restoration criteria. Phone (David Allen, Doug Beltman) analytical chemistry procedures and labs. Phone (David Allen, Bob Rowe) restoration planning; focus groups start next week; preliminary estimate of damages; budgets.

08 Dec 1997: phone (David Allen, Joan Guilefoyle) preparations for public open house. Phone (David Allen, Jim Hahnenberg) Hahnenberg: potentially responsible parties met with Tim Fields in Agency Headquarters, no problems, moving forward with National Priorities List listing and remedial investigation/feasibility study. Phone (David Allen, Josh Lipton, Bob Rowe, Doug Beltman) linking of restoration criteria, restoration scoring, PCB mass balance runs, sediment remediation costs, restoration quantification & scaling, restoration and compensation determination plan (with injury quantification and management), compensatory costs/values, coordination (natural resource damage assessment, remedial investigation/ feasibility study, DNR).

09 Dec 1997: phone (David Allen, Frank Horvath, Maureen Katz, Joan Goldfarb) EPA meeting with potentially responsible parties RE remedial investigation/feasibility study and National Priorities List listing; Agency letters about proceeding are coming soon, probably already in Dave Ullrich's office; Bill Hartwig talked to Jamie Clark and Bruce Babbitt's scheduler about assessment plan addendum, as well as possibility of di minimis settlements.

10 Dec 1997: FWS and EPA open house in Green Bay.

12 Dec 1997: meeting (David Allen, Greg Hill, George Boronow, Mark Holey, Terry Lychwick) natural resource damage assessment updates. Phone (David Allen, Frank Horvath, Maureen Katz) details about the National Priorities List listing.

15 Dec 1997: phone (David Allen, Jim Hahnenberg) FWS/DNR natural resource damage assessment coordination; remedial investigation/feasibility study contractors; public meeting plans for Door County.

05 Jan 1998: phone (David Allen, Jim Hahnenberg) EPA grant to DNR for remedial investigation/feasibility study is in the works.

07 Jan 1998: Washington, DC meeting (Amendola Engineering, DOJ, FWS, DOI, EPA) details on potentially responsible party allocation based on analyses of information request responses.

13 Jan 1998: review of draft fish consumption advisory report by Hagler Bailly for FWS.

14 Jan 1998: phone (David Allen, Maureen Katz) Katz: Bill Hartwig still clinging to the idea of sending letters to de minimis potentially responsible parties; unlikely to occur any time soon.

21 Jan 1998: phone (David Allen, Maureen Katz) Superfund reauthorization language about exempting PCB recyclers.

22 Jan 1998: phone (David Allen, Doug Beltman) PCB fate and transport modeling; budgets and schedules for natural resource damage assessment. Phone (David Allen, Kate LeJeune, Jeff Lazo, Dave Mills) restoration planning, DNR Boronow group, restoration criteria, plans, strategies. Phone (David Allen, Greg Hill) Wisconsin continuing to use natural resource damage assessment consultants chosen by potentially responsible parties (Keith Easton, etc.); natural resource damage assessment coordination plans.

26 Jan 1998: phone (David Allen, Jim Hahnenberg) press contacts and strategies; National Priorities List listing delayed because of DNR letters; remedial investigation/feasibility study contract by Wisconsin with EPA grant; remedial investigation/feasibility study project planning and schedule; recent call between Dave Ullrich, Bill Hartwig, Maureen Katz (with Jim Hahnenberg and Roger Grimes listening); George Meyer suggested a public meeting featuring Theo Colburn, but Milt Clark suggested David Allen, but George Meyer said no. Phone (David Allen, Josh Lipton) strategies for filing natural resource damage assessment case; lake trout retrospective analysis; Phase V tasks for damage assessment. Phone (David Allen, Josh Lipton, Bob Rowe, Doug Beltman) scope and budget; PCB fate and transport modeling; ecological risk assessment for remedial investigation/feasibility study; economics, particularly ensuring accurate incorporation of PCB injuries; pathway analyses; PCB toxicity equivalency factors; mercury and nonylphenol. Phone (David Allen, Susan Campbell) updates. Phone (David Allen, Mark Velleux) remedial investigation/feasibility study will overtake natural resource damage assessment at DNR.

28 Jan 1998: phone (David Allen, Josh Lipton) statute of limitations; filing the natural resource damage assessment case; addressing remedial investigation/feasibility study in the natural resource damage assessment; dual nature of restoration and compensation determination plan as assessment planning and determination. Phone (David Allen, Joan Goldfarb) restoration and compensation determination plan issues; statute of limitations; remedial investigation/feasibility study & natural resource damage assessment; filing. Phone (David Allen, Gary Amendola) how to address other contaminants besides PCBs.

29 Jan 1998: phone (David Allen, Jim Hahnenberg) remedial investigation/feasibility study grant from EPA to DNR; PCB toxicity equivalency factor meeting; information requests. Phone (David Allen, Joan Goldfarb) potentially responsible party ability to pay analyses; Bill Hartwig still pushing for de minimis letters; confidentiality of documents.

30 Jan 1998: phone (David Allen, Tom Nelson) restoration and compensation determination plan.

02 Feb 1998: Green Bay, WI meeting (David Allen, Dale Patterson) DNR analysis of PCB releases by potentially responsible parties (methods and results by potentially responsible party). Meeting (David Allen, Ken Stromborg) tern studies; cormorant studies. Phone (David Allen, Mike Anderson, Dave Mills, Kate LeJeune, Jeff Lazo) restoration planning details.

03 Feb 1998: phone (David Allen, Frank Horvath, Tony Giedt) restoration and compensation determination plan; coordination with DNR. Phone (David Allen, Emily Green) Sierra Club briefings in Washington, D.C.: staffers asked about PCB fingerprinting, sediments and PCB inventories; gave David Allen as contact. Phone (David Allen, Tom Eggert) Eggert wants DNR to join FWS on economics but others at Wisconsin disagree; unclear whether: 1) unified government natural resource damage assessment position; 2) separate positions for FWS, Wisconsin, and potentially responsible parties; or Wisconsin/potentially responsible party position against FWS; even if last, Service will try to make Service results useful to Wisconsin. Phone (David Allen, Doug Beltman, Peggy Searcy) coordination with EPA. Phone (David Allen, Jim Hahnenberg) remedial investigation/feasibility study grant; George Meyer meeting with Chamber of Commerce tomorrow; Dave Ullrich and George Meyer meeting with editorial boards next week. Phone (David Allen, Tony Giedt, Marty McHugh) history of coordination between FWS and DNR on Fox River natural resource damage assessment.

04 Feb 1998: phone (David Allen, Tony Giedt, Marty McHugh) NOAA did some checking on the FWS/DNR coordination story, confirms that Wisconsin is puppet of potentially responsible parties on the natural resource damage assessment (probably on the remedial investigation/feasibility study also); federal long-term strategy is to allow for diametrically opposed interests between Wisconsin and potentially responsible parties to finally drive wedge between them (probably because of cleanup decisions). Phone (David Allen, Maureen Katz, Joan Goldfarb) potentially responsible parties trying to link cleanup demonstration projects to remedial investigation/feasibility study; probably will not succeed. Phone (David Allen, Frank Horvath) Phase V assessment tasks; Bill Hartwig upset about

David Allen note on natural resource damage assessment filing; Bill Hartwig still pushing for comfort letters related to de minimis settlements. Phone (David Allen, Joan Goldfarb) PCBs, total suspended solids, and biological oxygen demand.

05 Feb 1998: Madison, WI meeting (David Allen, Frank Horvath, Joe Moniot, Mark Holey, Doug Beltman, Marty McHugh, Tom Nelson, Tom Eggert, Greg Hill, Mark Velleux, Brenda Hagman, Keith Easton, Mike Meyer) DNR working with potentially responsible parties, using potentially responsible party consultants: PTI, Triangle Economics Research Inc., BB&L, de maximus; Wisconsin revising their preassessment screen and determination; David Ludwig (PTI) and Bill Desvougues (Triangle Economics Research Inc.) want to use habitat equivalency procedure and random utility model models; Wisconsin has no experience with natural resource damage assessment or these approaches, so evaluating; possible to combine Wisconsin and FWS natural resource damage assessment? Maybe, but only off George Meyer can be convinced; restoration planning details; restoration and compensation determination plan and relationship to remedial investigation/feasibility study; Bill Desvougues recommends no damage calculations, just habitat equivalency.

06 Feb 1998: phone (David Allen, Maureen Katz, Joan Goldfarb, Tom Nelson, Tone Giedt, Kris Goodwill) review of natural resource damage assessment meeting between FWS and DNR; 3-prong strategy to convince George Meyer to combine natural resource damage assessments: staff; legal; Bill Hartwig.

09 Feb 1998: phone (David Allen, Bob Rowe, Rich Bishop) total value equivalency study details; Bill Desvougues. Phone (David Allen, Jim Hahnenberg) remedial investigation/feasibility study grant to DNR; how to ensure natural resource damage assessment information available to remedial investigation/feasibility study. Phone (David Allen, Hector Galbraith) draft bird injury report, except for eagle injury. Phone (David Allen, Doug Beltman) PCB modeling issues.

10 Feb 1998: phone (David Allen, Gary Amendola, Maureen Katz) DNR analysis of PCB releases is insufficient without detailed analysis of broke (carbonless copy paper trimmings that were recycled). Phone (David Allen, Frank Horvath) Bill Hartwig talked to George Meyer about merging assessments. Phone (David Allen, Doug Beltman) Phase V tasks and details.

11 Feb 1998: phone (David Allen, Joan Goldfarb) Joan Goldfarb and Maureen Katz pressed Cynthia Hirsch about merging natural resource damage assessments; Cynthia Hirsch reluctant; Maureen Katz said FWS natural resource damage assessment claims can be litigated if needed.

12 Feb 1998: phone (David Allen, Frank Horvath) budgets and contracting. Phone (David Allen, Jim Hahnenberg) subsistence fishing in the remedial investigation/feasibility study risk assessment; stories in the press; George Meyer pressing to have Theo Colburn as speaker; National Priorities List proposal will hit in mid-March; remedial investigation/feasibility study grant to DNR approved; dredging fact sheet; Great Lakes National Program Office.

23 Feb 1998: meeting (David Allen, Joe Moniot) Bruce Baker, Bob Paulson, and Greg Hill visited the FWS natural resource damage assessment reading room on Friday. Phone (David Allen, Maureen Katz) meeting on joining the FWS and DNR natural resource damage assessments; George Meyer does not yet understand the legal and technical advantages.

25 Feb 1998: Boulder, CO meeting (David Allen, Frank Horvath, Josh Lipton, Sue Kozarek, Bob Rowe, Doug Beltman) close our Phases II and III of the natural resource damage assessment; Phase IV restoration planning will overlap Phase V; Phase V details and plans; government audit of the contract.

26 Feb 1998: Boulder, CO meeting (David Allen, Frank Horvath, Josh Lipton, Sue Kozarek, Bob Rowe) budget and contracting details. Meeting (David Allen, Bob Rowe, Edward Morey) details of economics studies.

27 Feb 1998: phone (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz) budgets and contracting; plans for meeting with DNR to press for merging of natural resource damage assessments. Phone [David Allen, Mary Decker (Stanford University Law School)] history of Fox River natural resource damage assessment.

01 Mar 1998: Wisconsin Academy of Arts and Letters meeting.

03 Mar 1998: phone (David Allen, Greg Hill) DNR agrees to remove jurisdiction and legal defenses from Wisconsin preassessment screen and determination; meeting to discuss merging natural resource damage assessments. Phone (David Allen, Tom Custer) cormorant studies; waterfowl studies.

04 Mar 1998: phone (David Allen, Joe Moniot, Ed Lynch) DNR does not want FWS at remedial investigation/ feasibility study meeting.

05 Mar 1998: phone (David Allen, Roger Grimes) Grimes: Jim Hahnenberg argued strenuously against DNR inviting potentially responsible parties and excluding FWS and Oneida Tribe of Indians of Wisconsin from remedial investigation/feasibility study meeting. Phone (David Allen, Emily Green) Green: why is Fox River Group helping with public relations on the Hudson River? How much success is Fox River Group having influencing DNR on the remedial investigation/feasibility study? Phone (David Allen, Frank Horvath) updates; remedial investigation/feasibility study.

09 Mar 1998: phone (David Allen, Joan Goldfarb) Goldfarb: Ed Lynch upset with David Allen and Joe Moniot for looking over DNR's shoulder; look for ways to ensure that the relationship between FWS and Wisconsin is not the issue. Phone (David Allen, Milt Clark) George Meyer talking to the Fox River Valley Chamber of Commerce; EPA and FWS will coordinate on public relations.

10 Mar 1998: phone (David Allen, Tom Nelson) remedial investigation/feasibility study. Phone (David Allen, Joan Goldfarb) strategies for DNR-FWS relationship.

11 Mar 1998: phone (David Allen, Jim Hahnenberg) George Meyer out on two opposite limbs by inviting the controversial (especially with PCB scientists) Theo Colburn, and appeasing potentially responsible parties; Ed Lynch upset with David Allen and Joe Moniot; DNR says that Joe Moniot and Tom Nelson cannot ask questions at meeting to review remedial investigation/ feasibility study contractors; Mark Velleux wants more money for PCB fate and transport modeling.

12 Mar 1998: Oneida, WI meeting (David Allen, Pat Pelky, Tom Nelson) natural resource damage assessment and remedial investigation/feasibility study updates. Phone (David Allen, Maureen Katz, Gary Amendola Joe Moniot) details on PCB releases; DNR analysis; National Cash Register broke; landfills; next steps with Wisconsin.

13 Mar 1998: phone (David Allen, Emily Green) meeting with Fox River Coalition. Phone (David Allen, Maureen Katz) details for meeting between FWS and DNR.

16 Mar 1998: phone (David Allen, Jim Hahnenberg) EPA disappointed in DNR response to questions RE remedial investigation/feasibility study contractor proposals; Agency liked CDM, potentially responsible parties liked RETEC, Wisconsin chose RETEC. Phone (David Allen, Maureen Katz, Joan Goldfarb) details for FWS-DNR meeting.

18 Mar 1998: Milwaukee, WI meeting (David Allen, Matt Richmond, Maureen Katz, Joan Goldfarb, Marty McHugh, Jim Hahnenberg, Joe Moniot, Tom Nelson, Pat Pelky, Bruce Baker, Cynthia Hirsch, Keith Easton, Greg Hill, Bob Paulson) about merging assessments; FWS argument to DNR: much overlapping co-trusteeship; can help make arguments that could appeal to Governor Thompson and other politicians; can help leverage with potentially responsible parties; can help build a State assessment plan that feds and tribes can sign on to; can work on multiple pieces at once and combine them all into a single assessment; documents can be shared under the governmental memorandum of understanding; can meet in Boulder in April to discuss all of the details of the FWS natural resource damage assessment so far.

19 Mar 1998: phone (David Allen, Frank Horvath) updates about FWS/DNR meeting. Phone (David Allen, Doug Beltman) updates about FWS/DNR meeting; strategies to share sufficient information to allow real chance at merging while protecting against possible attacks by Wisconsin or potentially responsible parties via Wisconsin; how to help with remedial investigation/feasibility study effort and natural resource damage assessment effort, regardless of outcome; emphasize economics strategies in light of Desvouses positions at other sites for potentially responsible parties. Phone (David Allen, Mike Grimm) restoration planning. Phone (David Allen, Jim Hahnenberg) Hahnenberg irritated with DNR for wasting his time with remedial investigation/feasibility study contractor selection; looks like Wisconsin pre-selected ThermoRETEC Inc. because of potentially responsible party influence ahead of the selection effort; Ed Lynch has been misleading Jim Hahnenberg. Phone (David Allen, Hector Galbraith) bird injury report. Phone (David Allen, Doug Cox) updates on FWS/DNR meeting.

24 Mar 1998: phone (David Allen, Greg Hill) David Allen: would like DNR to bring Greg Hill, Bruce Baker, Bob Paulson, Ed Lynch to attend Boulder, CO meeting on natural resource damage assessment in April.

25 Mar 1998: phone (David Allen, Mike Tansy of Seney National Wildlife Refuge) restoration planning. Phone (David Allen, Frank Horvath) need help from Maureen Katz to bring MI into the natural resource damage assessment; restoration and compensation determination plan; Summit IV for team to discuss next steps on the entire natural resource damage assessment.

26 Mar 1998: phone (David Allen, Emily Green) reading room. Phone (David Allen, Jim Hahnenberg) how to address questions from Science and Technical Advisory Committee about tradeoff between cleanup and restoration. Phone (David Allen, Frank Horvath) potentially responsible party ability to pay meetings; Marvin Moriarty wants David Allen at governmental meeting with municipalities to help him. Phone (David Allen, Kris Goodwill) Bill Hartwig talking to George Meyer and Dave Ullrich.

27 Mar 1998: Science and Technical Advisory Committee meeting with Boronow meeting: George Meyer: started regulatory process but DNR prefers quick settlements; Fox River Coalition very helpful; global settlements did not work, but standing offer to potentially responsible parties from Wisconsin; might not need remedial investigation/feasibility study; Wisconsin aware of concerns about liability from municipalities; Wisconsin aware of economic concerns; Wisconsin will not put people out of business; Wisconsin will collect facts, follow procedures, and find a reasonable solution. Dave Ullrich: as former Wisconsin resident and current Wisconsin landowner remembers the same arguments from 25 years ago; too much rhetoric and unfair portrayals; 250k pounds of PCBs released; 80k pounds of PCBs still in Fox River, especially lower, lower river; PCB loading to Green Bay and Lake Michigan very high from Fox River; fish consumption advisories since the 1970s; water quality standards violations for decades; PCBs banned by Congress in 1979; risks of brain damage, cancer, immunological effects; birth defects reproductive effects; EPA spent \$16 million studying Fox River PCB transport and effects; high confidence in available information; going to figure out what needs to be done; dredging probably at least part of the solution; Manistique dredging of PCB very successful; Waukegan PCB dredging successful; Grand Calumet PCB dredging successful; PCB stigma is worse than National Priorities List stigma; DNR great job studying the problem. Marvin Moriarty (FWS, Deputy Regional Director) FWS investigated Green Bay problems, then tracked them to PCB; David Allen can give details on natural resource damage assessment; Service putting information on the table and working with EPA and DNR to find solution that includes functioning ecosystem. More details on liability, public funding, remedial investigation/feasibility study; questions and answers.

30 Mar 1998: phone (David Allen, Dale Patterson) Patterson: Fort Howard attempting to influence his calculations of PCB releases; will collaborate with Gary Amendola. Phone (David Allen, Bob Paulson, Ed Lynch, Dave Webb of ThermoRETEC Inc.) data sharing for remedial investigation/feasibility study.

31 Mar 1998: phone (David Allen, Bri Bill) George Meyer called into Governor Thompson's office; Tony Earl and Governor aid want public meeting with Theo Colburn cancelled; Meyer resisted. Phone (David Allen, Joan Goldfarb) plans and strategies for Boulder meeting between FWS and DNR. Phone (David Allen, Gary Amendola) PCB release details. Phone (David Allen, Mark Velleux) aggressive remedial investigation/feasibility study schedule requires PCB fate and transport modeling complete in 6 months; funding; details.

01 Apr 1998: phone (David Allen, Bri Bill) Dave Ullrich leaning towards supporting George Meyer but EPA staff adamantly oppose canceling public meeting; meeting with Ullrich and staff today. Phone (David Allen, Bri Bill) Dave Ullrich postponed public meeting for DNR; EPA will control the meeting without Wisconsin when it is rescheduled. Phone (David Allen, Emily Green) Green: Sierra Club will have big press release over cancellation of public meeting. Phone (David Allen, Becky Katers) cancellation of public meeting; Science and Technical Advisory Committee relying on John Giesy. Phone (David Allen, Susan Campbell) cancellation of public meeting.

02 Apr 1998: phone (David Allen, Emily Green) reading room. Phone (David Allen, Bri Bill) Dave Ullrich assigned Milt Clark to set up new public meeting. Phone (David Allen, Josh Lipton, Doug Beltman) plans and strategies for Summit IV to discuss the entire natural resource damage assessment; EPA public meeting plans and strategies; plans and strategies for FWS/DNR meeting on natural resource damage assessment in Boulder, CO.

03 Apr 1998: Madison, WI meeting (David Allen, Gary Amendola, Matt Oxsilida of Amendola Engineering, Dale Patterson) PCB release data and estimates.

06 Apr 1998: phone (David Allen, Tom Custer) bird injury publications. Phone (David Allen, Jim Hahnenberg) Fox River inter-agency agreement from EPA for FWS assistance on remedial investigation/feasibility study within a month; Theo Colburn; Boulder meeting between FWS, EPA, DNR. Phone (David Allen, Doug Beltman) problems with Wisconsin modeling for settlement positions for George Meyer.

14 Apr 1998: phone (David Allen, Jim Hahnenberg) include biological technical assistance group meeting at Boulder meeting.

15 Apr 1998: phone (David Allen, Maureen Katz) updates and plans.

16 Apr 1998: phone (David Allen, Joan Goldfarb) updates and plans.

21 Apr 1998: Twin Cities, MN meeting (FWS Regional Office Docket Review of natural resource damage assessment sites) meeting David Allen, Charlie Wooley, Shelly Hall about MI co-trustees on Green Bay natural resource damage assessment; meeting (David Allen and Barbara Schmaltz of Office of Environmental Policy Compliance) Schmaltz: Whitewood Creek natural resource damage assessment was a mistake to fund, Rachel Jacobson of DOJ said to fund at first but then suggested

settling quickly, DOI funded mostly because of pressure from tribes; phone (David Allen, Frank Horvath, Greg Hill) Hill: DNR wants assurances from FWS before agreeing to Boulder meeting.

22 Apr 1998: Twin Cities, MN meeting (docket review) phone (David Allen, Frank Horvath, Bob Rowe) economics studies and focus groups, Summit IV, DNR for creel census.

23 Apr 1998: Twin Cities, MN meeting (docket review) Green Bay natural resource damage assessment covered in detail.

27 Apr 1998: phone (David Allen, Frank Horvath) DNR added 7 points to agenda for Boulder meeting; conference call with Hagler Bailly soon to attempt to incorporate.

29 Apr 1998: phone (David Allen, Jim Hahnenberg) Hahnenberg: visiting Hudson River and Housatonic and beginning regular collaboration between the 3 sites. Phone (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb) RE DNR 7 points for Boulder agenda (baseline, trusteeship, specific strategies for approaches, release estimates by Amendola and Patterson, pathway/modeling, injury approach, national strategy); agenda updated; Doug Beltman will lead effort to create presentation materials for all 7 points; Frank Horvath will confirm with Wisconsin.

30 Apr 1998: phone (David Allen, Emily Green) Green: DNR continuing to work with potentially responsible parties on natural resource damage assessment and sediment demonstration projects.

04 May 1998: Boulder, CO meeting (FWS, DOI, NOAA, DOJ, EPA, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin, Hagler Bailly, DNR) detailed meeting with Wisconsin RE merging natural resource damage assessments; Greg Hill: FWS presentations were “stuff we already know,” plus reasons FWS cannot share information with Wisconsin; don’t want to hear about injury; want to hear about strategy; meetings and presentations cut short because of Wisconsin complaints. biological technical assistance group meeting (started early) Brenda Jones: Wisconsin risk assessment does not follow Agency guidance; Bob Paulson: wants more details about ecological risk; Doug Beltman: exactly the details that Hector Galbraith was attempting to give Wisconsin; Bob Paulson: if Wisconsin does not intend to claim natural resource damage assessment for certain resources, then why should Wisconsin worry about remedial investigation/ feasibility study impacts on the damage assessment? Primary outcome of meeting: clarification that Wisconsin is on a different page than Agency on remedial investigation/feasibility study and than Service on natural resource damage assessment.

05 May 1998: Boulder, CO meeting (continued) FWS needs from DNR: 1) commitment to work towards a combined Report of Assessment (Wisconsin says yes); 2) analysis or archived samples that are relevant to both natural resource damage assessment and remedial investigation/feasibility study; 3) access to creel census surveys; 4) electronic copy of ThermoRETEC Inc. database for remedial investigation/feasibility study; 5) PCB fate and transport modeling work plan for the remedial investigation/feasibility study; 6) zip drive of electronic data and files. Marty McHugh: can we get past resource splitting? Bruce Baker: no. Bob Rowe and Betsy David will discuss study plans from Bill

Desvougues. Wisconsin needs from FWS: 1) current data needs that can be addressed with more money; 2) detailed list from Wisconsin to Doug Beltman; 3) economics discussions; 4) co-trusteeship discussions with attorneys and managers; 5) restoration planning criteria for George Boronow; 6) overheads from presentations yesterday (including those not reached because of the Wisconsin revolt). Meeting (David Allen, Josh Lipton, Bob Rowe) need a letter, with input from Rich Bishop, to Wisconsin on Wisconsin/Bill Desvougues study plan for natural resource damage assessment; need to have DOI and DOJ attorneys begin preparing to enjoin any unilateral natural resource damage assessment settlement by Wisconsin; need to complete Service damage assessment so that ready for court; need to prepare managers, politicians, public for Service damage assessment results. Meeting (FWS, Hagler Bailly, NOAA, DOI, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin) priorities are: 1) final restoration and compensation determination plan sufficient to perfect claims; 2) explicit and detailed coordination between natural resource damage assessment and remedial investigation/feasibility study; 3) remedial investigation/feasibility study work plans; 4) incorporation of tribal issues into natural resource damage assessment and remedial investigation/feasibility study; annotated outline of final restoration and compensation determination plan by next week.

08 May 1998: Green Bay, WI meeting (David Allen, Ken Stromborg, Janet Smith, Joe Moniot) details from the Boulder, CO meeting. Phone (David Allen, Bri Bill) strategies for public relations for natural resource damage assessment and remedial investigation/feasibility study, including Door Peninsula. Phone (David Allen, Marty McHugh) agreement that McHugh is a plausible go-between for FWS and DNR because of experience as state representative in NJ and federal representative at NOAA; McHugh: FWS natural resource damage assessment for Fox River is the best assessment with the best data and information that he has ever seen.

12 May 1998: phone (David Allen, Doug Beltman) Beltman: email from Mark Velleux to David Allen accidentally included an attached email from Mark Velleux to Dale Patterson that recommends that DNR ignore modeling requests from FWS; Bob Lashefsky of EcoChem also reports that Bob Paulson said that the Boulder trip was a waste of time. Phone (David Allen, Don Tillitt) lake trout study details. Phone (David Allen, Josh Lipton, Sue Kozarek) contracting and audit details. Phone (David Allen, Mark Velleux) Velleux: Wisconsin requests copy of model re-evaluation work plan, and SEDZL model components from QEA; Wisconsin unhappy with Service for not sharing information; very long conversation about how to ensure adequate two-way coordination.

13 May 1998: phone (David Allen, Ernie Watkins of EPA) DynCorp will contact FWS for data exchange. Phone (David Allen, Jim Hahnenberg) updates on EPA meetings between Fox River, Hudson River, and Housatonic River. Phone (David Allen, Bob Rowe) how to ensure confidentiality from potentially responsible parties when sharing information with DNR on economics; use DOJ and Wisconsin Department of Justice as conduit. Phone (David Allen, Joan Goldfarb) how to protect economics information from going to potentially responsible parties prematurely when sharing with Wisconsin.

19 May 1998: phone (David Allen, Joan Goldfarb) Goldfarb: Maureen Katz suggests dealing with Greg Hill only, avoid Bob Paulson; long conversation about DNR/FWS coordination; Steve Lynscheid worried about how remedy selection will be addressed by total value equivalency study.

20 May 1998: phone (David Allen, Maureen Katz) FWS/DNR coordination. Phone (David Allen, Greg Hill) plans for meeting on economics for natural resource damage assessment; creel surveys; Mark Velleux says they have a model which is like a Cadillac with no keys.

21 May 1998: phone (David Allen, Maureen Katz) call Greg Hill 2-3 times per week to keep pressure on him to coordinate; extensive discussion about PCB fate and transport modeling issues; authorized official decides, rather than restoration and compensation determination plan decides. Phone (David Allen, Bob Rowe) fax economics information directly to Betsy David at DNR. Phone (David Allen, Greg Hill) David Allen: Bob Rowe faxing economics information to Betsy David. Meeting (David Allen, Mark Holey) Holey: PTI has been questioning Honeyfield (lake trout principal investigator) for potentially responsible parties/Wisconsin.

27 May 1998: phone (David Allen, Milt Clark) public meeting plans. Phone (David Allen, Frank Horvath) DNR coordination plans and strategies; 29 Jun 1998 Wisconsin-led meeting; Ed Lynch complaining about availability of SEDZL code and FWS coordination on Fox River as part of his discussion at the Sheboygan, WI site; Wisconsin complaining about David Allen professorial style at last meeting in Boulder. Phone (David Allen, Emily Green) Triangle Economics Research Inc./Desvouses conducting a shadow economics study for potentially responsible parties; Exponent conducting a shadow risk assessment for potentially responsible parties; Exponent/Triangle Economics Research Inc. drafting alternative assessment plan for Wisconsin; Baird incorporating SEDZL into PCB fate and transport model for potentially responsible parties/Wisconsin; Service led meeting in Boulder but Wisconsin reacted very negatively; shadow natural resource damage assessment by potentially responsible parties for Wisconsin not in the public interest; Service has memorialized events in coordination memo; newspaper articles could be helpful.

29 May 1998: phone (David Allen, Jim Hahnenberg) Hahnenberg: DNR upset that David Allen not on today's remedial investigation/ feasibility study call; Wisconsin wants from FWS modeling workplan, SEDZL code, meeting on modeling, database on sediments; Wisconsin might be willing to analyze Service archived samples; Brenda Jones looking at funding issues; Wisconsin will sample sediments above De Pere Dam next week. Phone (David Allen, Emily Green) Representatives Johnson & Petri and Senator Kohl are opposing Superfund at Fox River; Senator Feingold supporting; Winnebago County opposed; EPA still spooked about overruling Governor Thompson because of budget discussions on the Hill. Phone (David Allen, Becky Katers) political support and opposition on Superfund at Fox River. Phone (David Allen message for Greg Hill) explanation for missing conference call on remedial investigation/feasibility study.

01 Jun 1998: meeting (David Allen, Mark Holey) lake trout study details. Phone (David Allen message for Greg Hill) SEDZL code update. Phone (David Allen, Josh Lipton, Doug Beltman) fish histopathology details; funding issues and priorities; peer review plans; analytical chemistry details;

plans for influencing natural resource damage assessment regulation revisions at NOAA. Phone (David Allen, Joan Goldfarb) how to make restoration and compensation determination plan work given regulations inclusion of assessment plan elements and assessment determination elements; definition and actual meaning of baseline; injury to natural resources versus loss of ecological and human services; restoration scaling applies to the “R” and the “C” of restoration and compensation determination plan; assessment plan addendum plus restoration and compensation determination plan as way forward. Phone (David Allen, Josh Lipton) restoration and compensation determination plan conversation with Joan Goldfarb; economics studies will directly inform restoration scaling; restoration and compensation determination plan will choose restoration alternative; assessment plan addendum for the assessment plan parts of the restoration and compensation determination plan. Phone (David Allen, Frank Horvath) restoration and compensation determination plan; remedial investigation/feasibility study updates; SEDZL.

02 Jun 1998: phone (David Allen, Terry Slynoto of Appleton League of Women Voters) public meeting being organized by EPA. Phone (David Allen, Matt Richmond) updates. Phone (David Allen message for Greg Hill) agenda items for next meeting to include merging DNR and FWS assessment plan; joint damage determination phase; joint modeling; joint report of assessment; SEDZL code conference call; data being sent to DNR by FWS; how are things going?. Phone (David Allen, Doug Beltman) QEA is incorporating SEDZL and WASP code on their own and will meet with Mark Velleux and are willing to share code; PCB fate and transport runs will not be complete until October, which could delay everything by 5 months; information requests; MI co-trustees. Phone (David Allen, Charlie Wooley) MI co-trustees on Green Bay natural resource damage assessment. Phone (David Allen message for Greg Hill) joint economics studies; joint assessment; joint assessment plan and Report of Assessment; PCB modeling. Phone (David Allen, Marty McHugh) restoration and compensation determination plan and incorporation of remedial investigation/feasibility study remedy; contaminated sediment conference in Washington, DC includes Emily Green and Skip Missmer; PCB modeling; economics; McHugh working on information for DNR.

05 Jun 1998: phone (David Allen, Frank Horvath, Josh Lipton, Joan Goldfarb, Maureen Katz, Doug Beltman, Bob Rowe, Tom Nelson, Marty McHugh) Deposit N demonstration project; natural resource damage assessment regulations and restoration and compensation determination plan; restoration options: more source control, more source control plus other kinds of restoration, only other kinds of restoration than source control, no action; total value equivalency directly informs these choices; creel surveys; PCB modeling; lake trout study; DOJ and DOI concurrence on restoration and compensation determination plan approach.

08 Jun 1998: phone (David Allen, Marty McHugh) updates on activities by potentially responsible party consultants for DNR (ThermoRETEC Inc., Blasland, Bauck & Lee, Exponent). Phone (David Allen, Charlie Wooley) MI co-trustees.

09 Jun 1998: phone (David Allen, Doug Beltman, Kirk Ziegler, David Glaser, Mark Velleux) SEDZL code details; PCB fate and transport modeling details; food web modeling details; next steps. Phone (David Allen message for Greg Hill) agenda for next coordination meeting; restoration planning

criteria; joint assessment plan; DNR discussions with potentially responsible parties; modeling issues with Mark Velleux look like they are on track. Phone (David Allen, Greg Hill) ideas will not roll into agenda items; de Maximus making request for federal permit for sampling by DNR/potentially responsible parties; potentially responsible parties have provided Wisconsin with draft injury assessment plan, draft sampling plan, draft data needs, Wisconsin has not reviewed yet; includes many migratory natural resources; liver enzyme receptor is primary focus; agenda items for next meeting include modeling coordination, Amendola work on PCB releases; draft letter from George Meyer is in the works. Phone (David Allen, Joan Goldfarb) Goldfarb talked with Steve Lynscheid, Mary Morton, Maureen Katz: services and baseline; equivalency issues; MI co-trusteeship.

10 Jun 1998: FWS Regional Director information requests to paper companies.

11 Jun 1998: phone (David Allen, Doug Beltman) PCB modeling updates. Phone (David Allen message for Mark Velleux) PCB modeling updates.

15 Jun 1998: Milwaukee, WI meeting (David Allen, Matt Richmond, Frank Horvath, Joan Goldfarb, Maureen Katz, Roger Grimes, Jim Hahnenberg, Pat Pelky, Tom Nelson, Mike Lokensgard, Greg Hill, Betsy David, Mark Velleux, Bob Paulson, Dave Webb, Bruce Baker, Keith Easton, Cynthia Hirsch, by phone-Tony Giedt) PCB source analysis (Velleux for dale Patterson); PCB modeling details; sediment dredging videos from Manistique River cleanup; economics: Hill: cannot prevent Triangle Economics Research Inc./Desvouses from working for potentially responsible parties, DNR resistant to limiting Triangle Economics Research Inc./Desvouses; injury determination approaches; Wisconsin objects to Michigan co-trustees joining.

16 Jun 1998: phone (David Allen, Becky Katers) updates. Phone (David Allen, Bob Rowe, Doug Beltman) economics coordination with DNR. Phone (David Allen message for Greg Hill) Betsy David to EPA for 6 month detail?; conference call plans for economics coordination; meeting plans for economics coordination. Phone (David Allen, Jim Hahnenberg) DNR work on economics; remedial investigation/feasibility study coordination between Wisconsin and EPA. Phone (David Allen, Emily Green) Green Bay injuries and data.

17 Jun 1998: phone (David Allen, Terry Schley) public meeting will by 24 Sep 1998 with speakers David Allen, George Meyer, Dave Ullrich, Dr. Anderson; also pros and cons of cleanup options with Bob Paulson, Jim Hahnenberg, Jan Mills, potentially responsible party representative.

18 Jun 1998: phone (David Allen, Tom Nelson) Oneida Tribe of Indians of Wisconsin public relations; analysis of fish from Oneida waters. Phone (David Allen, Joan Goldfarb) how to resolve issues between Hagler Bailly/FWS and Steve Lynscheid on restoration and compensation determination plan. Phone (David Allen, Greg Hill) Betsy David going to Washington, D.C. for EPA detail; meeting on coordination in Madison on Monday. Phone (David Allen, Emily Green) reading room on Tuesday. Phone (David Allen, Frank Horvath) FWS, Headquarters coordination on Green Bay natural resource damage assessment; complete listing of entire FWS natural resource damage assessment scope of work to DNR.

22 Jun 1998: Madison, WI meeting (David Allen, Greg Hill) on detailed listing of scope of entire FWS natural resource damage assessment.

24 Jun 1998: Washington, D.C. meeting (David Allen, Ernie Watkins, Jim Hahnenberg, Mart McHugh, also Contaminated Sediments Workshop at EPA) Watkins: National Priorities List proposal final this week; Hahnenberg: National Priorities List proposal final in next couple of weeks; EPA probably will not invite Theo Colburn to public meeting, despite George Meyer; McHugh: updates on DNR/FWS coordination.

19 Jun 1998: Green Bay, WI meeting (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz, Bill Hartwig) preparations for governmental parties meeting. Governmental parties meeting: Bruce Baker introductions and agenda; Ed Lynch: DNR selected ThermoRETEC Inc. and Baird for remedial investigation/ feasibility study, EcoChem for quality assurance/quality control, sampling details, remedial investigation/feasibility study details; Jim Hahnenberg: peer review process for remedial investigation/feasibility study will be conducted by EPA; Ed Lynch: limited window for peer review; Bob Paulson: Wisconsin has final say on remedial investigation/feasibility study, demonstration project updates; David Allen: natural resource damage assessment schedule and coordination (Bruce Baker: progress on economics coordination appreciated); Bob Paulson: PCB modeling updates; public meeting and public relations discussion; information requests and responses; Boronow group and restoration planning for natural resource damage assessment. Meeting between governmental parties and municipalities: George Meyer introductions; Dave Ullrich introductions; David Allen natural resource damage assessment updates; Ed Lynch: remedial investigation/feasibility study updates; Dale Patterson: PCB modeling updates; long discussion about reasons for remedial investigation/feasibility study and National Priorities List; discussion about potential negotiations. Phone (David Allen, Josh Lipton) updates.

30 Jun 1998: meeting (David Allen, Joe Moniot, Joan Goldfarb, Maureen Katz, Marty McHugh, Brenda Jones, Shirley Dorsey) boat and car tour of Fox River and Green Bay.

01 Jul 1998: meeting (David Allen, Mark Holey) lake trout study details. Phone (David Allen, Josh Lipton, Doug Beltman) remedial investigation/feasibility study coordination plans; subsistence fishing survey; lake trout study; how to influence DNR to adequately control Triangle Economics Research Inc./Desvouses; PCB congener weathering. Phone (David Allen, Frank Horvath) lake trout study; remedial investigation/feasibility study coordination.

02 Jul 1998: phone (David Allen, Bri Bill) Bill: Ed Lynch adamantly opposed to FWS speaking at public meeting; EPA compromised by taking Service off of the written agenda but kept in a time slot for Service "updates."

06 Jul 1998: phone (David Allen, Maureen Katz) waterfowl data; public meeting; Amendola analysis of PCB releases.

07 Jul 1998: phone (David Allen, Phillip Hoffman of EPA Congressional Affairs) language for an Agency letter about PCB effects in birds and fish. Phone (David Allen, Gary Amendola) PCB release updates. Phone (David Allen, Jim Lawson of Winnebago County Council) meeting about Fox River. Phone (David Allen, Milt Clark) public meeting details. Meeting (David Allen, Tome Nelson, Pat Pelky) tribal council meeting; PCB samples; economics surveys.

08 Jul 1998: phone (David Allen, Brenda Jones) quality assurance/quality control; remedial investigation/feasibility study coordination and assignments. Phone (David Allen message for Greg Hill) QEA and modeling; Exponent natural resource damage assessment documents; total value equivalency; remedial investigation/feasibility study risk assessment.

09 Jul 1998: Port Washington, WI meeting (David Allen, U.S. Coast Guard) David Allen presentation RE Green Bay natural resource damage assessment. Press release from Gov. Thompson criticizing EPA decision on Fox River cleanup.

14 Jul 1998: phone (David Allen, Andy Thompson) Appleton Post-Crescent major story on Fox River in next month or two; interview about natural resource damage assessment timelines, background, database. Phone (David Allen, Tom Nelson) tour of Fox River soon; risk assessment. Phone (David Allen, Brenda Jones) Jones to Boulder soon to meet with Hagler Bailly about remedial investigation/feasibility study risk assessment details; Jones: include DNR? David Allen: no, FWS will not pay for Hagler Bailly to meet with Wisconsin again (pending improvement on coordination efforts). Phone (David Allen, Frank Horvath) Brenda Jones to Hagler Bailly; budgets. Phone (David Allen, Doug Beltman) lake trout meeting; remedial investigation/feasibility study coordination; sample documentation; public meeting; restoration and compensation determination plan.

15 Jul 1998: phone (David Allen, Don Tillitt) lake trout meeting; lake trout report; public meeting. Phone (David Allen, Frank Horvath) biological technical assistance group; natural resource damage assessment budget for next year. Phone (David Allen message for Greg Hill) comments on Exponent natural resource damage assessment documents. Phone (David Allen, George Boronow) meeting plans to discuss restoration planning. Phone (David Allen, Bri Bill) public meeting details. Phone (David Allen, Milt Clark) public meeting details.

16 Jul 1998: phone (David Allen, Bob Rowe) Michigan co-trustees; benefits transfer; public meeting; draft reports from total value and recreational fishing. Phone (David Allen, Doug Beltman) QEA PCB modeling; biological technical assistance group. Phone (David Allen, Andy Thompson) background materials for Appleton Post-Crescent story. Phone (David Allen, Jim Hahnenberg) funding; how to harmonize remedial investigation/feasibility study and natural resource damage assessment; media updates.

17 Jul 1998: Conference call RE public meeting.

18 Jul 1998: phone (David Allen, Andy Thompson) natural resource damage assessment chronology.

20 Jul 1998: phone (David Allen, Maureen Katz) EPA funding; risk assessment; letter to Appleton Papers. Phone (David Allen, Frank Horvath) natural resource damage assessment budget; Governor Thompson invited Dave Ullrich to meeting; EPA trying to arrange for FWS invitation.

21 Jul 1998: phone (David Allen, Frank Horvath) Frank Horvath: meeting with Governor Thompson will include Dave Ullrich, Bill Hartwig, Maureen Katz, George Meyer, and tribal representatives; George Meyer claimed goal of \$250 million from potentially responsible parties, \$50 million from Wisconsin, \$200 million of in-kind access from municipalities. Phone (David Allen, Maureen Katz) restoration dredging. Public meeting at Harper Hall, St. Lawrence University (including 5 minute update on natural resource damage assessment by David Allen).

28 Jul 1998: phone (David Allen, Doug Beltman) Beltman: Ed Lynch said on last phone call with EPA that DNR does not need any advice on ecological risk assessment. Phone (David Allen, Maureen Katz) \$20 million in 1999 for remediation only; could not have made this much progress without natural resource damage assessment; Wisconsin worried.

29 Jul 1998: phone (David Allen, Becky Katers) reading room tomorrow. Phone (David Allen, Chris Custer) quality assurance/quality control on bird injury studies. Phone (David Allen, Bob Paulson) public meetings; fish data; updates.

30 Jul 1998: phone (David Allen, Milt Clark) Clark negotiated with Ed Lynch to include ecological effects in fish and wildlife; EPA wants input from FWS; Lynch claims insufficient money to incorporate information from FWS. Phone (David Allen, Doug Beltman) phone call with Greg Hill tomorrow; coordination with Ed Lynch on risk assessment; FWS input directly to ThermoRETEC Inc.. Phone (David Allen message for Greg Hill) conference call tomorrow. Phone (David Allen, Frank Horvath) coordination with DNR.

31 Jul 1998: phone (David Allen, Doug Beltman, Greg Hill) schedule call with Ed Lynch; assessment plan addendum to merge assessments; biological technical assistance group; samples and analytical chemistry; schedule for and data from DNR economics?; Hill: studies show that public has low knowledge and low concern for PCB injuries, so low damages; Sheboygan updates; hazard quotients; Wisconsin looking for framework from Exponent, details later; fish injuries; bird injuries; PCB pathways; restoration planning; economics studies; Hill: Rich Bishop said Desvouses study not much different from FWS study. Phone (David Allen, Ed Lynch) Lynch: Wisconsin needs FWS comments before conference call. Phone (David Allen, Frank Horvath) natural resource damage assessment budget. Phone (David Allen, Marty McHugh) Becky Katers and Emily Green; intergovernmental partnership. Phone (David Allen, Emily Green) discharge data and PCB loads.

03 Aug 1998: phone (David Allen, Jim Hahnenberg, Brenda Jones) EPA talked to Ed Lynch about new outline for risk assessment; biological technical assistance group.

04 Aug 1998: phone (David Allen, Frank Horvath) biological technical assistance group; assessment plan addendum. Phone (David Allen, Josh Lipton, Doug Beltman) assessment plan addendum.

05 Aug 1998: phone (David Allen, Joyce McCarty of environmental law firm) history for Fox River cleanup and natural resource damage assessment. Meeting (David Allen, Green Bay Metropolitan Sewerage District: Linda Bently, John Kennedy, Pete McCarty, Dan Bush) primary treatment, secondary treatment, sludge disposal, industrial users, analytical chemistry data, Fort Howard, PCB data, DNR references, National Pollutant Discharge Elimination System permits, bypasses. Phone (David Allen, Becky Katers) public meeting.

06 Aug 1998: Science and Technical Advisory Committee meeting: widespread objections to Fort Howard mischaracterizations; plan to talk to editorial boards; official letter from Science and Technical Advisory Committee; press release.

07 Aug 1998: Madison, WI biological technical assistance group meeting: Ed Lynch: DNR in charge, biological technical assistance group is advice only; Jim Hahnenberg: biological technical assistance group advisory but goal is to avoid conflicts, conflicts will not simply be dropped by EPA; David Allen: biological technical assistance group advisory but each agency has independent authority to review remedial investigation/feasibility study, FWS not using biological technical assistance group as leverage but will attempt to resolve conflicts through all practical means including biological technical assistance group; Ed Lynch: ThermoRETEC Inc. is experienced; scope of ecological risk assessment; Brenda Jones: how does Wisconsin risk assessment outline address the entire risk assessment process? Ed Lynch: it will not; Bob Paulson: risk assessment will probably not address Green Bay and Lake Michigan to FWS satisfaction; Wisconsin and FWS will exchange language; Ed Lynch: Wisconsin will consider it; food chain model; Mark Velleux: QEA input; endpoints; schedule for comments and modifications; threatened and endangered species.

08 Aug 1998: phone (David Allen, Bri Bill) public relations public meetings, fliers. Phone (David Allen, Milt Clark) plans and strategies for remedial investigation/feasibility study. Phone (David Allen, Maureen Katz) biological technical assistance group, restoration and compensation determination plan. Phone (David Allen, Doug Beltman) assessment plan addendum, biological technical assistance group. Phone (David Allen, Cam Davis) Lake Michigan Federation supporting National Priorities List listing; big press release next week. Phone (David Allen, Brenda Jones) biological technical assistance group; funding; public meeting. Phone (David Allen, Doug Beltman) analytical chemistry. Phone (David Allen message for Greg Hill) assessment plan addendum.

12 Aug 1998: phone (David Allen, Greg Hill) cancel next meeting on natural resource damage assessment.

13 Aug 1998: phone (David Allen, Maureen Katz) updates; keep assessment plan addendum on schedule for September.

14 Aug 1998: phone (David Allen, Brenda Jones) EPA might take over risk assessment for northern Green Bay; Bill Muno talking to DNR next week; EPA contractor on board to start; analytical chemistry. Meeting (David Allen, George Boronow, Joe Moniot, Mark Holey) natural resource

damage assessment and remedial investigation/feasibility study updates; lake trout updates; Boronow: ThermoRETEC Inc. seems to think that there are lake trout in the Fox River, based on the Boulder meeting (clearly mistaken).

31 Aug 1998: phone (David Allen, Jim Hahnenberg) resolved with Ed Lynch that EPA conducting risk assessment of northern Green Bay; Science and Technical Advisory Committee meeting; Mark Brown giving a presentation to the League of Women Voters; EPA meeting with unions. Phone (David Allen, Josh Lipton) updates; very difficult meetings with DOI/Steve Lynscheid because of language in the preamble to the natural resource damage assessment regulations (43 CFR Part 11) - found language that allows work to continue as planned; total value equivalency instead of total value only - scale restoration additional to providing monetary value. Phone (David Allen, Frank Horvath) updates; restoration and compensation determination plan; Bob Paulson called Deb Swackhammer (University of Minnesota) and demanded quality assurance/quality control on the Green Bay Mass Balance Study.

01 Sep 1998: Fish Creek, WI public meeting on remedial investigation/feasibility study and natural resource damage assessment.

02 Sep 1998: Washington, DC meeting on natural resource damage assessment funding from DOI.

08 Sep 1998: phone (David Allen, Marty McHugh) McHugh: Greg Hill asked if site-specific information is needed for natural resource damage assessment injury determination, or literature enough; trying to find out what DNR is contemplating. Phone (David Allen, Milt Clark) Clark: Henry Anderson claims that Ray Hutchison is working for the Fox River Group potentially responsible parties on subsistence fishing. Phone (David Allen, Marlene Mielke of Senator Kohl's office) David Allen presentation on Green Bay natural resource damage assessment to Appleton Chamber of Commerce? Phone (David Allen, Bill Kiefer of Fox 11 TV) biography and graphics. Phone (David Allen, Doug Beltman) restoration and compensation determination plan; lake trout meeting; QEA comments on remedial investigation/feasibility study. Phone (David Allen, Josh Lipton) lake trout meeting. Phone (David Allen message for Bob Paulson) fish samples.

09 Sep 1998: phone (David Allen, Marty McHugh) McHugh talked to Greg Hill; seems like DNR is trying to play hard ball with the potentially responsible party consultants. Phone (David Allen, Henry Anderson) Anderson does not know if Ray Hutchison works for the Fox River Group potentially responsible party in particular; Sheboygan potentially responsible party relationship though. Phone (David Allen, Marty McHugh) John Giesy working for potentially responsible parties and wants to use only a subset of injury data and one methodology but DNR is not yet convinced. Phone (David Allen, David Ludwig) Ludwig questions about David Allen presentation on natural resource damage assessment. Phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig says that Bruce Babbitt says that Governor Thompson is upset with the Fox River potentially responsible parties.

10 Sep 1998: phone (David Allen, Josh Lipton) restoration and compensation determination plan. Phone (David Allen, David Glaser) EPA files. Phone (David Allen, Jim Hahnenberg) union meetings; modeling code; funding. Phone (David Allen, Maureen Katz) comments from Bill Brighton (DOJ) on restoration and compensation determination plan. Phone (David Allen, Bob Rowe) Rowe no conflicts for Ray Hutchison; public meeting on restoration and compensation determination plan; recreational fishing valuation study going to pre-test now; final budgets for recreational fishing valuation and total value equivalency; tribal valuations. Phone (David Allen, Josh Lipton) Josh Lipton: Bill Brighton likes the restoration and compensation determination plan, wants to use it as model for Coeur D'Alene; lake trout meeting; funding for modeling and recreational fishing valuation.

11 Sep 1998: Science and Technical Advisory Committee meeting.

14 Sep 1998: 2nd assessment plan addendum ("Initial Restoration and Compensation Determination Plan"). Meeting (David Allen, Ken Stromborg, Janet Smith) Science and Technical Advisory Committee meeting. Phone (David Allen, David Glaser) QEA Inc. modeling code and EPA requests. Phone (David Allen, Jim Hahnenberg and Russ Kreis of EPA) EPA trying to avoid involvement in ongoing dispute between QEA Inc. and HydroQual.

14 Sep 1998: Stevens Point, WI meeting with EPA, DNR, FWS, unions.

16 Sep 1998: Madison, WI meeting RE lake trout (David Allen, Ken Stromborg, Frank Horvath, Josh Lipton, Don Tillitt, Carol Edsall, Mark Holey, Christian Cravitz, TJ Miller) progress to date; next steps; publication.

17 Sep 1998: Madison, WI meeting RE lake trout (continued) detailed results; schedule.

22 Sep 1998: phone (David Allen, Frank Horvath) meeting with DNR and Deb Swackhammer scheduled. Phone (David Allen, Brenda Jones) risk assessment comments. Phone (David Allen, Bill Kiefer of WLUK) natural resource damage assessment questions and biography. Phone (David Allen, Jim Hahnenberg) Hahnenberg somewhat worried about meeting with Deb Swackhammer. Phone (David Allen, Mark Velleux) Velleux working with Gary Amendola soon; technical memoranda for PCB fate and transport modeling for the remedial investigation/feasibility study.

23 Sep 1998: Twin Cities, MN meeting (David Allen, Frank Horvath, Dave DeVault, Deb Swackhammer, Bob Paulson, Bob Oliesewsky) Green Bay Mass Balance Study quality assurance/quality control, detailed review; history of model calibration; review of principal investigators; history of contracting; data summaries.

24 Sep 1998: phone (David Allen, Maureen Katz) meeting with Deb Swackhammer; HydroQual letter; litigation risk related to recreational fishing survey; Amendola meeting; increase attorney involvement in technical reports for natural resource damage assessment; Katz assigned to work on a grand jury, will impact time availability. Public meeting in Menasha, WI sponsored by League of Women Voters.

25 Sep 1998: phone (David Allen, Bruce Johnson) David Allen lecture for University of Wisconsin at Green Bay course on public policy? Phone (David Allen, Doug Beltman) budgets; priorities; modeling; recreational fishing valuation; lake trout study.

28 Sep 1998: phone (David Allen, Gary Amendola) PCB release updates and next steps. Phone (David Allen, Doug Beltman) risk assessment. Phone (David Allen, Gary Amendola, Mark Velleux) PCB modeling. Phone (David Allen, Joan Goldfarb) Goldfarb: Dan Becker will take over DOJ lead while Maureen Katz on jury duty; updates; meetings. Phone (David Allen, Becky Katers) restoration and compensation determination plan. Phone (David Allen, Susan Campbell) restoration and compensation determination plan.

29 Sep 1998: phone (David Allen, Ed Culhane) restoration and compensation determination plan. Phone (Bruce Johnson) materials for David Allen lecture at University of Wisconsin at Green Bay. Phone (David Allen, Larry Dean) restoration and compensation determination plan. Phone (David Allen, Josh Lipton) Boulder meeting in October on recreational fishing valuation, total value equivalency, remedial investigation/feasibility study, contaminants other than PCBs, completion of natural resource damage assessment reports and determinations; eagle data. Phone (David Allen, Brenda Jones) FWS to work directly with Mark Sprenger and EPA contractors on risk assessment for northern Green Bay; restoration and compensation determination plan; funding. Phone (David Allen, Joan Goldfarb, Maureen Katz) DNR upset about restoration and compensation determination plan review, can use Marty McHugh and Joan Goldfarb to try to smooth. Phone (David Allen, Larry Dean) press releases. Phone (David Allen message for Greg Hill) set up regular phone calls; want to meet on restoration and compensation determination plan?; November strategy session on natural resource damage assessment in Washington, DC; redouble coordination efforts.

30 Sep 1998: meeting (David Allen, Janet Smith) conference call next week about environmental roundtable meeting; phone (David Allen, Milt Clark) Agency for Toxic Substances and Disease Registry and Wisconsin Department of Health Services assessment of Fox River; ThermoRETEC Inc. working with Ray Hutchison. Phone (David Allen, Hector Galbraith) eagle data and reports. Phone (David Allen, Ed Culhane) restoration and compensation determination plan. Phone (David Allen, Brian Kehri of Fox 11) restoration and compensation determination plan. Phone (David Allen, Susan Campbell; restoration and compensation determination plan; interview on Monday on entire natural resource damage assessment.

01 Oct 1998: meeting (David Allen, Ken Stromborg) cormorant presentation. Phone (David Allen, Vicki Harris) monitoring plan. Phone (David Allen, Joan Goldfarb) Goldfarb will call Greg Hill.

05 Oct 1998: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Mindy Naparella) restoration and compensation determination plan. Phone (David Allen, Mark Velleux) QEA Inc.; food web model; coordination. Phone (David Allen, Tom Custer) bird injury study updates. Phone (David Allen, Joan Goldfarb) information requests and responses; natural resource damage assessment schedule; record of decision; Dan Becker; Greg Hill, Bob Paulson, and Ed Lynch are suspicious and

waiting for David Allen to call about November strategy meeting. Phone (David Allen, Maureen Katz) Greg Hill: Appleton Papers Inc. concerned about potential recycling exemption in draft Congressional bill.

06 Oct 1998: phone (David Allen, Ed Lynch) ThermoRETEC Inc. will call David Allen about comments on remedial investigation/feasibility study from Doug Beltman. Phone (David Allen, Jim Hahnenberg) National Priorities List listing; natural resource damage assessment economics; updates. Phone (David Allen, Doug Beltman) meeting schedule. Phone (David Allen, Milt Clark) EPA PCB modeling and per review on Hudson River, NY.

07 Oct 1998: meeting (David Allen, Ken Stromborg) Green Bay restoration. Science and Technical Advisory Committee meeting; monitoring plans. Phone (David Allen, Mark Velleux) QEA and model code; web site for technical memoranda; Velleux is the sole reviewer for DNR, so needs help from FWS and EPA to see big picture. Phone (David Allen, Susan Campbell) commercial fishing; total damages; wildlife; restoration and compensation determination plan; studies; damages unlikely to be single digit \$ millions or \$ billions.

08 Oct 1998: (David Allen, David Glaser) Hudson River; SEDZL; cohesive sediments; HydroQual; DNR coordination. Phone (David Allen, Tom Nelson) samples; restoration and compensation determination plan; meetings. Phone (David Allen, Doug Cox) waterfowl samples. Phone (David Allen message for Greg Hill) meetings with tribes.

13 Oct 1998: phone (David Allen, Joan Goldfarb) Greg Hill; Coeur D'Alene. Phone (David Allen, Milt Clark) PCB modeling details. Phone (David Allen, Jim Hahnenberg) DNR; data quality assessment. Phone (David Allen, Charlie Hendrickson of commercial fishing association) questions about recent press on natural resource damage assessment. Phone (David Allen, Ed Lynch) language about Green Bay. Phone (David Allen, Doug Beltman) Tim Thompson of ThermoRETEC Inc. says they may calculate risk out to Chambers Island in Green Bay. Phone (David Allen, Brenda Jones) risk assessment; restoration and compensation determination plan; PCB modeling; funding.

15 Oct 1998: phone (David Allen, Mark Velleux) meetings. Phone (David Allen, Brenda Jones) Ed Lynch objects to call between David Allen, Brenda Jones, and David Glaser - wants Jim Hahnenberg and Ed Lynch on the call. Phone (David Allen, Doug Beltman) comments on remedial investigation/feasibility study; PCB modeling. Phone (David Allen, Ed Lynch) comments on remedial investigation/feasibility study. Phone (David Allen, Jim Hahnenberg) union meeting; remedial investigation/feasibility study comments. Phone (David Allen, Hector Galbraith) eagle data. Phone (David Allen, Bob Rowe) legal team views RE economics updates to press.

16 Oct 1998: Madison, WI meeting (David Allen, Mark Velleux, Gary Amendola, Matt Oxsilida, Joe Moniot, Cynthia Hirsch, Greg Hill, Bob Paulson) documents available for PCB releases; Amendola analyses and approaches; uncertainty in PCB releases as method for calibrating PCB models; allocation of liability based on PCB release estimates; coordination between Dale Patterson and Gary Amendola; historical fish data; probabilistic modeling; 1976 Versar/EPA document on nationwide

PCB releases. Meeting (David Allen, Ed Lynch, Joe Moniot) risk assessment by ThermoRETEC Inc. vs. outer bay.

20 Oct 1998: David Allen presentation to Appleton Rotary Club RE natural resource damage assessment and Comprehensive Environmental Response, Compensation and Liability Act liability. David Allen presentation on restoration and compensation determination plan to University of Wisconsin at Green Bay class.

21 Oct 1998: Boulder, CO meeting (David Allen, Doug Beltman) modeling and coordination with Mark Velleux. Meeting (David Allen, Josh Lipton, Doug Beltman) fish consumption advisory report for public meeting; QEA coordination with Mark Velleux; plans and strategies for natural resource damage assessment and remedial investigation/feasibility study. Meeting (David Allen, Josh Lipton, Bob Rowe, Doug Beltman) economics studies and press. Phone (David Allen, Doug Beltman, Brenda Jones) risk assessment for northern Green Bay; analytical chemistry work plans; comments on ThermoRETEC Inc. risk assessment. Meeting (David Allen, Doug Beltman) bird injury natural resource damage assessment report. Meeting (David Allen, Mace Baron) fish injuries for natural resource damage assessment.

22 Oct 1998: Boulder, CO meetings (David Allen, Frank Horvath, Josh Lipton, Dave Cacela, Doug Beltman) PCB congener analysis and fingerprinting; Meeting (David Allen, Bob Rowe) economics studies. Phone (David Allen, Josh Lipton, Bob Rowe, Doug Beltman, Maureen Katz, Don Tillitt, Joan Goldfarb, Mace Baron, Carol Edsall) set up regular conference calls for lake trout study and report; time constraints and schedule; coordination between U.S. Geological Survey and Hagler Bailly; bald eagle data. Phone (David Allen, Josh Lipton, Frank Horvath, Joan Goldfarb, Maureen Katz) set up limited-attendance meeting in Washington, DC for natural resource damage assessment. Meeting (David Allen, Bob Rowe) economics. Meeting (David Allen, Josh Lipton) budgets and schedule. Meeting (David Allen, Doug Beltman (restoration planning); meeting with Deb Swackhammer.

26 Oct 1998: phone (David Allen, Tom Nelson, Pat Pelky) risk assessment. Phone (David Allen, Greg Hill) Hill: meeting with Hill, Bob Paulson, Keith Easton, Betsy David: DNR unhappy with potentially responsible party assessment plan proposed for Wisconsin; David Allen: FWS working on detailed reports for natural resource damage assessment, including pathway, fish injury, bird injury, water injury, restoration planning, and economics, how to merge Service and Wisconsin efforts?; how to harmonize natural resource damage assessment and cleanup?; David Allen: adequate cleanup and restoration can be supported by the results of each: Wisconsin damage assessment, Service damage assessment, remedial investigation/feasibility study, Wisconsin law, federal law. Meeting (David Allen, Ken Stromborg) eagle injury; lake trout injury. Phone David Allen, Dan Heyford) document database; natural resource damage assessment and Superfund; David Allen deflected leading and probing questions about natural resource damage assessment details, but explained process, progress, schedule. Phone (David Allen, Maureen Katz) remedial investigation/feasibility study and population effects; Greg Hill. Phone (David Allen, Brenda Jones) Jones: Ed Lynch being ridiculous and has elevated to Bill Muno; population effects.

27 Oct 1998: phone (David Allen, Tom Nelson) remedial investigation/feasibility study and population effects. Phone (David Allen, Joan Goldfarb) remedial investigation/feasibility study and population effects. Presentation to Oconto Falls high school on PCBs by David Allen and Joe Moniot. Phone (David Allen, Doug Beltman) risk assessment.

29 Oct 1998: phone (David Allen, Doug Beltman) Beltman: remedial investigation/feasibility study draft documents from ThermoRETEC Inc. and DNR are very poorly written (additional to technical issues), will blow budget if Hagler Bailly tries to edit in detail. Phone (David Allen, Brenda Jones) Jones: EPA pulling out the stops to review the ThermoRETEC Inc./Wisconsin draft remedial investigation/feasibility study documents (need much work). Phone (David Allen, Sonya Wytinck) wetland data; non-point source data; recreational park data. Phone (David Allen, Maureen Katz) fish consumption advisory report; BB&L involvement; Cynthia Hirsch talked to Ed Lynch about population effects issue; risk assessment poorly written; Amendola meeting with Fort Howard; Superfund reauthorization. Phone (David Allen, Milt Clark) PCB trends; population effects issue. Phone (David Allen, Joan Goldfarb) Oneida Tribe of Indians of Wisconsin and Duck Creek. Phone (David Allen, Tom Nelson, Doug Cox) risk assessment review.

30 Oct 1998: phone (David Allen, Matt Richmond) detailed updates; litigation costs for natural resource damage assessment; settlement and litigation opportunities on cleanup and damage assessment. Phone (David Allen, Frank Horvath) risk assessment review and budget; FWS, Headquarters worried about being kept in the loop on remedial investigation/feasibility study review; Matt Richmond and litigation; DOI budget; Maureen Katz now in administrative role at DOJ.

04 Nov 1998: Washington, DC meeting (David Allen, Frank Horvath, Josh Lipton, Maureen Katz, Dan Beckhard, Joan Goldfarb) natural resource damage assessment schedule, plans, strategies.

05 Nov 1998: Washington, D.C. meeting (David Allen, Gary Amendola, Matt Oxsilida; Al Toma, Jackie Powell of Fort Howard PCB release details. Green Bay meeting (David Allen, Ken Stromborg, Mark Holey, Janet Smith, Joe Moniot) updates. Phone (David Allen, Brenda Jones) Ed Lynch has resorted to sending emails in all CAPS to express his anger; more meetings between DNR and EPA to try to resolve. Phone (David Allen, Greg Hill) meeting schedule.

06 Nov 1998: phone (David Allen, Tom Custer) chemical analyses of bird samples. Phone (David Allen, Don Tillitt) liver enzyme analyses; raw data handling.

09 Nov 1998: biological technical assistance group conference call (David Allen, Frank Horvath, Brenda Jones, Todd Goeks, Jim Hahnenberg, Tom Nelson, Doug N?, Ken Seeley, Mark Sprenger) details on risk assessment for northern Green Bay; David Allen: FWS formally objects to DNR refusal to participate in risk assessment for northern Green Bay; Goeks: Ed Lynch likes the ThermoRETEC Inc. document but Kathy Patnode thinks it is junk. Phone (David Allen, Greg Hill) Hill: will call back on Thursday.

10 Nov 1998: meeting (David Allen, Ken Stromborg) data and reports. Phone (David Allen, Joan Goldfarb) risk assessment; Freedom of Information Act; legal team updates; potentially responsible parties want remedial investigation/feasibility study delayed for PCB modeling and natural resource damage assessment. Phone (David Allen, Jim Hahnenberg) PCB modeling; Roger Grimes meeting with Andy Schlickman, and other potentially responsible parties separately; updates. Phone (David Allen, Milt Clark) PCB modeling.

12 Nov 1998: phone (David Allen, Josh Lipton) preparations for FWS public meeting on fish consumption advisory natural resource damage assessment report; congener patterns and fingerprinting; updates.

13 Nov 1998: phone (David Allen, Frank Horvath, Tim Kubiak) Kubiak: wants to be wired into the natural resource damage assessment bird injury report. Public relations conference call among governmental parties. biological technical assistance group conference call: Bob Paulson: DNR expected data and information from FWS; David Allen & Doug Beltman: Service gave at and soon after Boulder meeting. Phone (David Allen, Doug Beltman, David Glaser, Kirk Ziegler, Pete Israelton) PCB model details.

17 Nov 1998: lake trout conference call. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch upset about biological technical assistance group summaries; potentially responsible parties met with Roger Grimes, potentially responsible parties think remedial investigation/feasibility study must include new data from FWS natural resource damage assessment and new PCB modeling information, Ed Lynch wants to rely on current EPA/DNR information only. Phone (David Allen, Joan Goldfarb) main issues for legal team to press with Cynthia Hirsch.

18 Nov 1998: phone (David Allen, Roger Grimes) Grimes: visited by David Mandelbaum, Mark Thimke, and Andy Schlickman; potentially responsible parties worried about remedial investigation/feasibility study bypassing sophisticated PCB models; David Allen: read previous email entitled "Modeling! Modeling! Modeling!;" EPA wants David Allen, Mark Velleux, Doug Endicott, Ed Lynch, and ThermoRETEC Inc. to attend an remedial investigation/feasibility study meeting on PCB modeling with government discussion in morning and discussion with potentially responsible parties in afternoon.

19 Nov 1998: phone (David Allen, Frank Horvath, Joan Goldfarb, Maureen Katz) litigation support budget for natural resource damage assessment; PCB modeling; risk assessment; Cynthia Hirsch worried about written criticism of remedial investigation/feasibility study; Freedom of Information Act.

20 Nov 1998: conference call for governmental public relations. Phone (David Allen, Emily Green) non-governmental organization involvement in natural resource damage assessment review.

23 Nov 1998: phone (David Allen, Greg Hill) Hill: DNR upset with shadow remedial investigation/feasibility study; Wisconsin wants 3 approaches: water quality standards, EPA methods,

and the current Wisconsin remedial investigation/feasibility study; Wisconsin cannot figure out how to use natural resource damage assessment data provided by FWS, Bob Paulson says unusable; timeline for Wisconsin assessment plan; Ed Lynch sees FWS as newcomers to Wisconsin Superfund, why so involved at Fox River but not other sites?, want solutions not problems; David Allen: review of 1992 Besadny meeting, reasons for Fox River priority, lower interest in Sheboygan and Wisconsin River, most other WI Superfund sites are dominated by groundwater (not usually a FWS natural resource); general discussion about natural resource damage assessment theory and practice. Phone (David Allen, Doug Beltman) schedule and reports; lake trout samples; peer review. Phone (David Allen, Jim Hahnenberg) PCB modeling meeting; EPA considering mediator for Fox River remedial investigation/feasibility study matters.

24 Nov 1998: biological technical assistance group conference call: DNR agrees to no population endpoints; data issues; PCB modeling; other details. Phone (David Allen, Doug Beltman) good call, won battle on population endpoints, but ThermoRETEC Inc. clearly not yet convinced and Wisconsin still relying on existing models. Lake trout conference call: schedule; chemistry; other details. Phone (David Allen, Joan Goldfarb) Goldfarb: legal team call: Wisconsin opposes EPA's PCB modeling meeting but agreed to participate; Agency looking at administrative dispute resolution for Fox River. Phone (David Allen, Marty McHugh) Keith Easton and Greg Hill want a natural resource damage assessment with water quality standards basis rather than detailed analyses of injuries and damages; updates.

25 Nov 1998: meeting (David Allen, Ken Stromborg) lake trout details.

01 Dec 1998: phone (David Allen, Jim Hahnenberg) updates on remedial investigation/feasibility study. Phone (David Allen, Susan Campbell) story next week on fish consumption advisory report. Phone (David Allen, Frank Horvath) public relations for fish consumption advisory report; remedial investigation/feasibility study and ThermoRETEC Inc.; Frank Horvath and Bill Hartwig involvement in the natural resource damage assessment.

02 Dec 1998: phone (David Allen, Milt Clark) extensive discussion of PCB modeling details. Phone (David Allen, Joan Goldfarb) Deposit N; fish consumption advisory report; PCB modeling meeting; lake trout; feasibility study. Meeting (David Allen, Ken Stromborg) waterfowl injury study.

03 Dec 1998: phone (David Allen, David Glaser) extensive discussion on PCB modeling details. Phone (David Allen, Maureen Katz) extensive discussion of PCB modeling details; fish consumption advisory report; biological technical assistance group and feasibility study. Phone (David Allen, Frank Horvath) PCB modeling; fish consumption advisory report. Phone (David Allen, George Boronow) restoration planning.

04 Dec 1998: phone (David Allen, Ian Nisbitt, Hector Galbraith, Peggy Searcy) bird injury details.

08 Dec 1998: Chicago, IL meeting (David Allen, Marty McHugh, Todd Goeks, Jim Hahnenberg, Brenda Jones, Tom Nelson, David Glaser, Roger Grimes, Doug Endicott, Glenn Warren, Bruce Baker,

Mark Velleux, Bob Paulson, Ed Lynch) PCB fate and transport modeling meeting; Baker: Velleux decides which models will be used in the remedial investigation/feasibility study; details on models. Meeting with potentially responsible parties added (Andy Schlickman, Mark Reimer, Mark Traverse, Ramesh ?, John Wolf, Dave ?, Joe DePinto, Jim Warshall, Jean Donetsky, Tony Vogel) long, detailed discussion about PCB fate and transport modeling in the remedial investigation/ feasibility study, without much agreement between potentially responsible parties and governments.

10 Dec 1998: assessment results: fish consumption advisories.

17 Dec 1998: public meeting on fish consumption advisory report.

18 Dec 1998: PCB modeling conference call.

21 Dec 1998: phone (David Allen, Greg Hill) walleye injuries; updates.

22 Dec 1998: Twin Cities, MN meeting (David Allen, Frank Horvath) updates, plans strategies for natural resource damage assessment. Meeting (David Allen, Frank Horvath, Bill Hartwig) updates, plans, strategies for natural resource damage assessment. Phone (David Allen, Frank Horvath, Bill Hartwig, Joan Goldfarb) updates, plans strategies for natural resource damage assessment.

23 Dec 1998: Science and Technical Advisory Committee meeting.

29 Dec 1998: phone (David Allen, Josh Lipton) bird injury report.

30 Dec 1998: phone (David Allen, Hector Galbraith) bird injury details.

14 Jan 1999: phone (David Allen, Josh Lipton) budgets; schedules; bird injury report; final restoration and compensation determination plan; waterfowl injuries; eagle analyses; recreational fishing damages; total value equivalency. Phone (David Allen, Doug Beltman) QEA Inc. and PCB modeling; remedial investigation/feasibility study. Phone (David Allen, Frank Horvath, Josh Lipton, Sue Kozarek, Bob Rowe, Doug Beltman) contract audit; budgets and schedules. Phone (David Allen, Bob Rowe) budgets and schedules. Phone (David Allen, Don Tillitt) lake trout injury reports. Phone (David Allen, Joan Goldfarb) PCB release analyses.

15 Jan 1999: governmental party public relations conference call. Phone (David Allen, Marty McHugh) detailed updates. Phone (David Allen, Mark Honeyfield) lake trout study details.

19 Jan 1999: memo from FWS to EPA on remedial investigation/ feasibility study problem formulation. Phone (David Allen, Jim Hahnenberg) feasibility study; laboratories for chemical analyses; Deposit N demonstration project. PCB modeling. Phone (David Allen, Brenda Jones) work plan for risk assessment of northern Green Bay. Lake trout conference call. Phone (David Allen, Doug Beltman) lake trout study and report; eagle data; remedial investigation/feasibility study comments. Phone (David Allen, Jim Hahnenberg, Doug Beltman) laboratory for chemical analyses.

20 Jan 1999: meeting (David Allen, Mark Holey) Bill Hartwig's letter insisting on timely completion of lake trout studies and reports have Don Tillitt's (and his lab director's) attention. Phone (David Allen, Dave Best of FWS) eagle data in Michigan. Phone (David Allen, Cheryl Dykstra) eagle data in Wisconsin.

21 Jan 1999: Twin Cities, MN meeting (David Allen, Frank Horvath) natural resource damage assessment data; updates; Bill Hartwig meeting with Don Tillitt's lab director to ensure lake trout study and reports are timely. Phone (David Allen, David Glaser) PCB models; QEA Inc.-HydroQual litigation. Phone (David Allen, Roger Grimes) PCB models. Phone (David Allen, John Carlucci) detailed discussion of Amendola work on PCB releases; liability versus allocation; detailed discussion about Green Bay natural resource damage assessment. Meeting (David Allen, Frank Horvath, Charlie Wooley) eagle data in Michigan. Phone (David Allen, Doug Beltman, David Glaser, Kirk Ziegler) PCB models details.

22 Jan 1999: meeting (David Allen, Frank Horvath) remedial investigation/feasibility study review. Meeting (David Allen, Frank Horvath, Charlie Wooley, Bill Hartwig) updates; Regional Director coordination on natural resource damage assessment, remedial investigation/feasibility study, budgets. Meeting (David Allen, Frank Horvath, Charlie Wooley) natural resource damage assessment budget strategies. Phone (David Allen, Frank Horvath, Joan Goldfarb) Regional Director meeting updates; PCB modeling issues.

25 Jan 1999: phone (David Allen, Frank Horvath, Josh Lipton, Maureen Katz, Bob Rowe, Doug Beltman) peer review of economics study results; natural resource damage assessment determinations and schedule; bird injuries; fish injuries; PCB pathways; restoration; economics; budgets; natural resource damage assessment end game to reach positions. Phone (David Allen, Becky Katers) remedial investigation/feasibility study schedule.

26 Jan 1999: phone (David Allen, Doug Beltman) ThermoRETEC Inc. found risk throughout River and Bay. Phone (David Allen, Brenda Jones) northern Green Bay risk assessment; ThermoRETEC Inc. risk assessment is improved but still has problems. Phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig says funding is forthcoming. Phone (David Allen, Maureen Katz) feasibility study. Phone (David Allen, Roger Grimes) feasibility study. Phone (David Allen, Frank Horvath, Joan Goldfarb) remedial investigation/feasibility study. Phone (David Allen, Josh Lipton) final restoration and compensation determination plan; remedial investigation/feasibility study; lake trout.

27 Jan 1999: phone (David Allen, Dave Best) eagle data. Phone (David Allen, Jim Hahnenberg) feasibility study. Phone (David Allen, David Glaser) food web model. Phone (David Allen, Bill Bowerman) eagle data.

28 Jan 1999: phone (David Allen, Dave Best) eagle data. Phone (David Allen, Bill Bowerman) eagle data. Phone (David Allen, Maureen Katz) external peer review of remedial investigation/feasibility study. Phone (David Allen, Hector Galbraith) eagle data. Phone (David Allen, Doug Beltman)

feasibility study. Phone (David Allen, Hector Galbraith, Dave Best) eagle data. Conference call [EPA, FWS, Hagler Bailly] remedial investigation/feasibility study data; bird risk; FWS comments on remedial investigation/feasibility study. Phone (David Allen, Doug Beltman, Liz Strange) wetland data from DNR.

29 Jan 1999: Comments from FWS to EPA and DNR on remedial investigation/feasibility study. Phone (David Allen, Jim Hahnenberg) chemistry; feasibility study; remedy review board. Phone (David Allen, Doug Beltman) ThermoRETEC Inc. risk assessment.

01 Feb 1999: phone (David Allen, Jim Hahnenberg) DNR releasing remedial investigation/feasibility study prematurely; EPA will not endorse, but also will not block; remedy review board. Phone (David Allen, Gary Amendola) additional information requests. Phone (David Allen, Doug Beltman, Liz Strange) wetland delineation based on Wisconsin geographical information system. Phone (David Allen, Doug Beltman) QEA Inc. analyzing dredging effectiveness issues. Meeting (David Allen, Mark Holey) Holey: Sturgeon Bay DNR office (where Holey used to work) is now requiring FWS to go through Bruce Baker for information about sturgeon.

02 Feb 1999: phone (David Allen, David Glaser) feasibility study. Phone (David Allen, Hector Galbraith) eagle data; bird risk chapter for remedial investigation/feasibility study. Phone (David Allen, Brenda Jones) bird risk chapter for remedial investigation/feasibility study. Phone (David Allen, Elizabeth Weldon of NOAA) sturgeon and other fish data for Green Bay. Phone (David Allen, Mike Meyer) eagle data. Phone (David Allen, Russ Kreis of EPA) food web model issue resolved.

03 Feb 1999: meeting (David Allen, Ken Stromborg, Janet Smith) eagle data; remedial investigation/feasibility study updates; waterfowl injury study.

04 Feb 1999: Comments from FWS to EPA and DNR on remedial investigation/feasibility study. Phone (David Allen, Joan Goldfarb) detailed updates; Agency economic analysis for remedial investigation/feasibility study; Agency peer review of remedial investigation/feasibility study; Agency trying hard to avoid taking remedial investigation/feasibility study away from Wisconsin.

09 Feb 1999: phone (David Allen, Hector Galbraith) eagle data; bird injury report. Phone (David Allen, Joan Goldfarb, Maureen Katz) from legal team call: EPA reconsidering external peer review of PCB modeling; Katz suggested to Agency that David Allen or Doug Beltman could approach Doug Endicott at Agency about "the model," then U.S. can go to DNR with position on modeling; David Allen and Doug Beltman to write one page on how to arrive at a unified model. Phone (David Allen, Gary Amendola, David Glaser, Doug Beltman) PCB release summary; PCB model summary; coordination with Wisconsin. Phone (David Allen, Jim Hahnenberg) feasibility study; chemistry; public relations; fish graphs; QEA Inc.

10 Feb 1999: lake trout conference call (David Allen, Don Tillitt, Carol Edsall, Joan Goldfarb, Mark Holey, Mace Baron, Doug Beltman) lake trout study result details; lake trout injury; lake trout

pathway; schedule. Meeting (David Allen, Mark Holey) strategies for finishing lake trout study, publishing results. Phone (David Allen, Mike Meyer) eagle data.

12 Feb 1999: phone (David Allen, Joan Goldfarb) Goldfarb met with Maureen Katz, Gary Amendola: DNR technical memoranda on PCB modeling; testifying experts versus consulting experts; meeting with National Cash Register; updates; Ed Lynch has been complaining about the legal team. Phone (David Allen, Doug Beltman, Kirk Ziegler) PCB modeling details. Phone (David Allen, Doug Beltman) PCB modeling positions within one week; walleye report; eagle analyses; risk details to EPA; review of bird report schedule; fish modeling; John Connolly at QEA Inc. working on PCB pathway issues for Green Bay natural resource damage assessment. Phone (David Allen, Hector Galbraith) bird injury report schedule and review.

17 Feb 1999: East Lansing, MI meeting (David Allen, Hector Galbraith, Bill Bowerman, Dave Best) eagle data.

18 Feb 1999: meeting (David Allen, Ken Stromborg) eagle data. Phone (David Allen, Jim Hahnenberg) feasibility study; human health risk assessment; Bob Paulson said that comments on the risk assessment are petty. Phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig talked to Dave Ullrich: EPA will not approve the current remedial investigation/feasibility study from ThermoRETEC Inc./DNR.

19 Feb 1999: governmental public relations conference call. Phone (David Allen, Hector Galbraith, Mike Meyer) eagle data. Phone (David Allen, Becky Katers) remedial investigation/feasibility study. Phone (David Allen, Tim Kubiak) review of bird injury report. Phone (David Allen, Emily Green) remedial investigation/feasibility study.

23 Feb 1999: phone (David Allen, Jim Hahnenberg, Roger Grimes) details concerning ThermoRETEC Inc. remedial investigation/feasibility study issues. Meeting (David Allen, Ken Stromborg) bird injury report review. Meeting (David Allen, Joel Trick) bird injury report review. Phone (David Allen, Bud Harris) bird injury report review. Phone (David Allen, Maureen Katz) PCB modeling memo very helpful; unified comments from U.S. on ThermoRETEC Inc. remedial investigation/feasibility study.

24 Feb 1999: Chicago, IL meeting (David Allen, Jim Hahnenberg, Roger Grimes, Milt Clark by phone, Brenda Jones, Bill Munro, Dan Beckhard, Tom Nelson, Kris Goodwill, Marty McHugh, Bri Bill, Sue Pastor, Todd Goeks) "scripted candor" for U.S. position on ThermoRETEC Inc./DNR remedial investigation/feasibility study; ecological risk assessment; human health risk assessment; PCB modeling; coordination; EPA may supplement the remedial investigation/feasibility study; heart-to-heart conversation between Bill Munro and Bruce Baker.

26 Feb 1999: governmental public relations conference call.

01 Mar 1999: phone (David Allen, Jim Hahnenberg) detailed updates; plans and strategies for natural resource damage assessment and remedial investigation/feasibility study. Phone (David Allen, Frank

Horvath) remedial investigation/feasibility study. Phone (David Allen, Maureen Katz, Joan Goldfarb) meeting with National Cash Register/Appleton Papers Inc. Meeting (David Allen, Ken Stromborg) waterfowl injury study. Phone (David Allen, Doug Beltman) walleye injury report.

02 Mar 1999: phone (David Allen, Mace Baron) walleye injury report. Phone (David Allen, Mike Meyer) eagle data and analyses. Phone (David Allen, Joan Goldfarb) confidential business information. Phone (David Allen, Frank Horvath) budgets and accounts. Phone (David Allen, Maureen Katz, Dan Beckhard, Joan Goldfarb) assignments for legal team to review natural resource damage assessment determinations on bird injury, fish injury; extensive discussion about PCB modeling. Phone (David Allen, Susan Campbell) Sunday story on remedial investigation/feasibility study; northern Green Bay not included. Phone (David Allen, Doug Beltman) bird injury report. Phone (David Allen, Gary Amendola, Matt Oxsilida) PCB release analyses.

03 Mar 1999: Wausau, WI meeting (David Allen, Ken Stromborg, Hector Galbraith, Mike Meyer) eagle data and analyses. Phone (David Allen, Susan Campbell) interview for remedial investigation/feasibility study story. Phone (David Allen, Josh Lipton, Doug Beltman) peer review; comments on initial restoration and compensation determination plan. Phone (David Allen, Joan Goldfarb) confidential business information.

04 Mar 1999: meeting (David Allen, Susan Campbell) mass balance study summary. Phone (David Allen, Jim Hahnenberg) Ed Lynch wants meeting to discuss comments on remedial investigation/feasibility study; Ed Lynch upset with Jim Hahnenberg for telling Susan Campbell that the feasibility study is not included; Lynch upset about fact of peer review of remedial investigation/feasibility study, and intends to elevate with management. Phone (David Allen, Doug Beltman) chemistry; data plots of Green Bay; walleye injury study; EPA coordination. Phone (David Allen, Gary Amendola) plans to visit paper mill facilities together. Phone (David Allen, Joan Goldfarb) detailed updates.

09 Mar 1999: phone (David Allen, Greg Hill) Hill: DNR unprepared to choose an injury determination approach; Hill saw an email that indicates remedial investigation/feasibility study drafts are in the Green Bay natural resource damage assessment reading room. Phone (David Allen, Mark Velleux) David Allen: reassurance that FWS takes DNR deadlines seriously. Phone (David Allen, Jim Hahnenberg) Green Bay sediment data; Milt Clark working on resolution of PCB modeling issues; Roger Grimes said that a governmental principals meeting is in the works; EPA presentations; Wisconsin will be upset with the Green Bay Press-Gazette article. Phone (David Allen, Frank Horvath) DOI natural resource damage assessment docket review scheduled; DNR asking about what remedial investigation/feasibility study materials are in the reading room; governmental party principals meeting scheduled; detailed updates. Phone (David Allen, Doug Beltman, Kirk Ziegler) sediment transport model; fate model; food web model; review of Wisconsin technical memoranda; schedule; effects of Green Bay seiche; Wisconsin 1995 interpolations and extrapolations; PCB water chemistry from Great Lakes National Program Office; modeling unnecessary; QEA Inc.-HydroQual law suit settled; GBTOX model; data sharing and confidentiality.

10 Mar 1999: Twin Cities, MN, DOI natural resource damage assessment docket review: David Allen: DOI must ensure steady multi-year funding of large cases; need more sharing of expertise between FWS natural resource damage assessment cases; need a research arm for damage assessment that can better compete with private sector (government contractors and potentially responsible parties).

11 Mar 1999: Twin Cities, MN, DOI natural resource damage assessment docket review: Green Bay natural resource damage assessment presentations. Phone (David Allen, Elliott Rockler) bird injury report review.

12 Mar 1999: Appleton, WI meeting between governments and Appleton Papers Inc./National Cash Register: extensive discussion about PCBs in National Cash Register paper broke, and PCB releases. Phone (David Allen, Jim Hahnenberg) meeting of PCB modeling experts, including Mark Velleux, Doug Endicott, David Glaser, possibly representative from Limnotech; difficult to convince DNR, but Bill Munro working on Bruce Baker; updates. Phone (David Allen, Doug Beltman, Hector Galbraith, Peggy Searcy) eagle data; bird injury report; Phase VI of the natural resource damage assessment; walleye injury report; federal regulation citations; docket review; peer review; lake trout injury reports.

15 Mar 1999: meeting (David Allen, Ken Stromborg) waterfowl data; eagle data; Science and Technical Advisory Committee: Bob Paulson was very defensive about remedial investigation/feasibility study and claimed current version is very different. Phone (David Allen, Doug Beltman) graphs for walleye data, herring gull data; bird injury report; Jim Hahnenberg working with John Bing-Canar and Hagler Bailly on Green Bay data, including re-doing DNR contour of Fox River, but Mark Velleux is trying to block it. Phone (David Allen message for Mark Velleux) encouraging a meeting between Mark Velleux, David Glaser, and David Allen. Phone (David Allen message for Greg Hill) updates.

16 Mar 1999: phone (David Allen, Maureen Katz, Dan Beckhard) updates on National Cash Register/Appleton Papers Inc. meeting. Phone (David Allen, David Glaser) detailed discussion about how to interact effectively with DNR. Phone (David Allen, Joan Goldfarb) PCB release diagram; confidential business information review process.

18 Mar 1999: phone (David Allen, Frank Horvath) inter-agency agreement between EPA and FWS for remedial investigation/feasibility study; Maureen Katz appreciated briefing information; Bill Hartwig tried to confirm with Governor Thompson that tribes are invited to next meeting but Governor's Office is waffling; Bill Hartwig wants the remedial investigation/feasibility study completed correctly, no point in moving forward until governmental parties can reach consensus on cleanup approach; Bill Hartwig: Governor cannot force the State/Company agreement in the face of 9-figure cost of necessary cleanup and natural resource damage assessment; eagle issues; Michigan co-trustee issues. Phone (David Allen, Jim Hahnenberg) data trend graphs; chemistry; PCB modeling; human health risk assessment; Governor will probably ask EPA about National Priorities List listing schedule. Phone (David Allen, Mark Velleux) meeting schedule; Wisconsin problem with EPA review of PCB modeling. Phone (David Allen, David Glaser) meeting on; schedule; updates. Phone

(David Allen, Doug Beltman) meeting on; PCB modeling; remedial investigation/feasibility study; updates. Phone (David Allen, Joe Moniot, Joan Goldfarb) detailed confidential business information analysis.

22 Mar 1999: FWS Regional Director Hartwig information requests to paper companies.

23 Mar 1999: phone (David Allen, Elliott Rockler) bird injury report. Phone (David Allen, Hector Galbraith) datasets; review with Tim Kubiak and Lisa Williams; waterfowl; data analyses. Phone (David Allen, Ken Stromborg, Hector Galbraith) eagle samples and data. Phone (David Allen, Doug Beltman, Mace Barron) walleye injury report; lake trout study; Forster's terns; review by Ross Norstrom and Sean Kennedy; remedial investigation/feasibility study comments. Phone (David Allen, Doug Beltman) strategy to avoid Ken Stromborg and Tim Kubiak in the same room for the real-time review of the bird injury report; Ken Stromborg review ahead of time and afterward. Phone (David Allen, Maureen Katz) database; remedial investigation/ feasibility study meeting; Governor meeting. Phone (David Allen, Tim Kubiak) bird injury review. Phone (David Allen, Joan Goldfarb) David Mandelbaum wants small meetings on PCB modeling, risk assessment, etc.; updates. Phone (David Allen, Jim Hahnenberg) Hahnenberg: PCB modeling meeting might not be necessary, DNR does not like David Glaser, Wisconsin claims they will use the potentially responsible party model with some changes.

25 Mar 1999: phone (David Allen, Jim Hahnenberg) roles for next meeting; detailed discussion of PCB modeling; Hahnenberg and Milt Clark still see PCB meeting with DNR as good opportunity, hoping Bill Munro can convince Bruce Baker; how to catalyze unified federal positions on key issues. Phone (David Allen, Doug Beltman) chemistry and lab; modeling updates; remedial investigation/feasibility study strategy; mink. Phone (David Allen message for Mark Velleux) PCB modeling meeting.

26 Mar 1999: Comments from FWS to EPA requesting that DNR incorporate or address the multiple previous sets of comments on the remedial investigation/feasibility study. Phone (David Allen, Ross Norstrom) purpose of bird injury report review.

29 Mar 1999: Oneida, WI public meeting on remedial investigation/feasibility study.

30 Mar 1999: phone (David Allen, Doug Beltman) eagle data and analyses; waterfowl; daily updates needed on bird injury report. Phone (David Allen, David Glaser) Glaser will talk to Mark Velleux. Phone (David Allen, David Glaser, Kirk Ziegler) solids and PCB loads; model development. Phone (David Allen, Maureen Katz, Joan Goldfarb) peer review of bird injury report; PCB modeling primer; memo from entire legal team on remedial investigation/feasibility study, then conference call. Phone (David Allen, Brian Duffy of Green Bay Packaging) reading room; disposal issues for Sediment Management Unit 56/57; natural resource damage assessment schedule; allocation; DNR technical memoranda; Dave Edquist (attorney) will follow up.

31 Mar 1999: phone (David Allen, Doug Beltman) total value equivalency; PCB modeling; peer review; EPA meeting; contract. Phone (David Allen, Maureen Katz) prioritization and schedule of natural resource damage assessment determinations. Phone (David Allen, Kris Goodwill) meetings.

02 Apr 1999: phone (David Allen, Josh Lipton) eagles; pathway; updates. Phone (David Allen, Frank Horvath) updates.

06 Apr 1999: Chicago, IL remedial investigation/feasibility study meeting (David Allen, Jim Hahnenberg, Brenda Jones, Milt Clark, Roger Grimes, Mark Sprenger, Bob Paulson, Dave Webb, Ed Lynch, Tom Nelson, Marty McHugh, Doug Beltman) remedial investigation/feasibility study.

07 Apr 1999: Chicago, IL meeting (David Allen, Brenda Jones, Jim Hahnenberg, Milt Clark) EPA needs to control DNR more via the money on the grant from the Agency to Wisconsin for the remedial investigation/feasibility study. Meeting (David Allen, Roger Grimes) Agency needs to control Wisconsin more via the money on the grant from Agency to Wisconsin for the remedial investigation/feasibility study.

08 Apr 1999: phone (David Allen, Susan Schneider) fish contamination issue. Phone (David Allen, Hector Galbraith, Doug Beltman) new eagle chapter for bird injury determination. Phone (David Allen, Doug Beltman, David Glaser, Kirk Ziegler) PCB modeling. Phone (David Allen, Marty McHugh) McHugh will echo to EPA that the Agency needs to control DNR more via the money on the grant from the Agency to Wisconsin for the remedial investigation/feasibility study.

09 Apr 1999: Madison, WI meeting (David Allen, Doug Endicott by phone, Mark Velleux, David Glaser, Kirk Ziegler, Jim Hahnenberg, Tom Nelson, Greg Hill, Ed Lynch) zip files with data and models; HydroQual report on Green Bay hydrodynamics; Velleux: in antagonistic mood because been on project too long, might be a waste of Endicott's time; Hill: modeling goals; Velleux: summary of PCB models, potentially responsible party models designed to limit liability, SWAT model, details on series of DNR technical memoranda; David Allen: Wisconsin cannot substitute the State/Company agreement process for the legal requirements of Superfund; Ziegler: FWS PCB modeling for the natural resource damage assessment.

12 Apr 1999: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Frank Horvath) updates. Phone (David Allen, Doug Beltman, Mace Barron) fish injury determination plans.

13 Apr 1999: assessment results: walleye injuries.

14 Apr 1999: Boulder, CO meeting (David Allen, Sean Kennedy, Ross Norstrom, Hector Galbraith, Mace Barron, Doug Beltman, Dan Beckhard, Elliott Rockler by phone, Tom Nelson, Joan Goldfarb by phone) detailed peer review of the draft bird injury determination.

15 Apr 1999: phone (David Allen, Mark Velleux) debriefing from the PCB modeling meeting; Velleux review of upcoming FWS PCB pathway determination; brainstorm modeling needs for Green Bay.

Phone (David Allen, Doug Beltman) bird injury determination meetings; call with Mark Velleux; inter-agency agreement with Don Tillitt; chemistry and samples; press release and public meeting for bird injury determination; walleye injury report. Phone (David Allen, Jim Hahnenberg) potentially responsible party comments on the remedial investigation/feasibility study.

16 Apr 1999: phone (David Allen, Gary Amendola) PCB release information in pathway determination; information requests to potentially responsible parties; information from Mark Velleux; information from Skip Missmer.

20 Apr 1999: phone (David Allen, Dave Hoffman) bird injury determination review. Phone (David Allen, Tim Kubiak) PCB TEQs; long lecture from Kubiak on how bird injury report should be written. Phone (David Allen, Joan Goldfarb) comments on bird injury determination. Phone (David Allen, Peggy Searcy) Phase VI of the Green Bay natural resource damage assessment. Phone (David Allen, Gary Amendola) Amendola chapter for PCB pathway determination. Phone (David Allen, Doug Beltman) samples; Gary Amendola chapter for PCB determination; risk assessment. Meeting (David Allen, Mark Holey) samples. remedial investigation/feasibility study conference call: DNR responses to remedial investigation/feasibility study comments; remedy review board; peer review; PCB modeling meeting; Jim Hahnenberg meeting with Skip Missmer about dredging effectiveness; fish consumption rates for human health risk assessment; Hahnenberg: draft of human health risk assessment from Wisconsin before public release? Webb: maybe. Phone (David Allen, Don Tillitt) Tillitt cannot schedule the bird injury review meeting because of lake trout commitments; publications by the Custers.

22 Apr 1999: Boulder, CO meeting (David Allen, Josh Lipton, Frank Horvath, Tom Custer, Chris Custer, Tim Kubiak, Lisa Williams by phone, Doug Beltman, Hector Galbraith, Joan Goldfarb, Elliott Rockler, Tom Nelson) detailed review of draft bird injury determination.

23 Apr 1999: Boulder, CO meeting (David Allen, Josh Lipton, Frank Horvath, Doug Beltman, Hector Galbraith, Joan Goldfarb, Elliott Rockler) legal comments on the draft bird injury determination.

26 Apr 1999: meeting (David Allen, Ken Stromborg, Mark Holey) detailed review of meetings on draft bird injury determination. Phone (David Allen, Doug Beltman) lake trout study schedule and plans.

27 Apr 1999: phone (David Allen, Maureen Katz) EPA analysis of potentially responsible party ability to pay.

28 Apr 1999: phone (David Allen, Dan Beckhard) peer review; bird injury determination meeting; Roger Grimes may call David Allen to try to chart course to resolve continuing PCB modeling frustrations.

29 Apr 1999: Boulder, CO meeting (David Allen, Josh Lipton, Frank Horvath, Mark Holey, Don Tillitt, Doug Beltman) lake trout study: Dale Honeyfield results on thiamin depletion; PCB dose-

response results; sensitivities and mortality in the face of combinations for thiamin depletion and PCB exposure; variables for analyses; deformities; thresholds; injury determination; next steps, including peer review; incorporate into fish injury determination.

04 May 1999: phone (David Allen, Frank Horvath) Frank Horvath: Matt Millenbach of DOI says that John Hanson, Greg Hill and Keith Easton will be making a public presentation about cooperative natural resource damage assessment, using Fox River as an example. Phone (David Allen, Doug Beltman, Maureen Katz, Dan Beckhard) PCB modeling details; total value equivalency and quantification of injuries and damages; PCB pathways; fish exposure; recreational fishing damages. Phone (David Allen, Roger Grimes) Grimes: EPA will invite Doug Beltman to PCB modeling meeting. Phone (David Allen, Jim Hahnenberg) updates; proposed plan for cleanup. Phone (David Allen, David Glaser) DNR technical memoranda on PCB modeling; natural resource damage assessment pathway determination. Phone (David Allen, Frank Horvath) Frank Horvath talked to Bill Hartwig about public meeting for the bird injury determination. Phone (David Allen, Mark Velleux) food web model.

05 May 1999: phone (David Allen, Doug Beltman) updates on Mark Velleux, David Glaser; bird injury determination public meeting; total value equivalency planning; DNR presentation on cooperative natural resource damage assessment; can Hagler Bailly delay the bird injury report? Not if Hagler Bailly ever wants to work on the project again. Phone (David Allen, Bob Paulson) questions on the walleye injury report; Wisconsin wants a copy of the appendices; conference call between Wisconsin, ThermoRETEC Inc., EPA; when will bird injury determination be available to Wisconsin? Meeting (David Allen, Mark Velleux) schedule for FWS/QEA Inc. comments on PCB technical memoranda; wants meeting of modelers to try to reach consensus; David Allen gave walleye report and appendices to Velleux for Paulson. Phone (David Allen, Susan Campbell) bird injury determination public meeting.

06 May 1999: phone (David Allen, Doug Endicott) Endicott: cryptic message from Mark Velleux; extensive discussion of PCB modeling details; EPA Office of Research and Development vs. Region 5 vs. Great Lakes National Program Office; peer review by Office of Research and Development; Office of Research and Development hindcasts of PCB transport and historical records of PCBs in herring gulls of Green Bay. Phone (David Allen, David Glaser) Doug Endicott and Mark Velleux; review of DNR technical memoranda on PCB modeling. Phone (David Allen, staffer from Congressman Petri) bird injury determination public meeting. Phone (David Allen, Susan Campbell) walleye injury report.

07 May 1999: governmental public relations conference call. Phone (David Allen, Marlene Mielke) bird injury determination public meeting; positive feedback from the presentation at the Appleton Rotary. Phone (David Allen, Tom Olson of U.S. Paper) Olson talked to Bill Hartwig: FWS invited to tour the U.S. Paper facility. Phone (David Allen, Frank Horvath) Frank Horvath will go to the U.S. paper tour; Bill Hartwig not coming to bird injury determination public meeting.

10 May 1999: assessment results: Injuries to Avian Resources. Phone (David Allen, Bob Emory of Associated Press) bird injury determination public meeting. Phone (David Allen, Chuck Hornbach of WI Public Radio) bird injury determination public meeting. Phone (David Allen, David Ludwig) copy of bird injury determination. Meeting (David Allen, John Mercure of Fox 11 News) bird injury determination public meeting. Phone (David Allen, Julie P.? of WGEE/WNFL Radio) bird injury determination public meeting. Meeting (David Allen, Janet Stagan of Action 2 News) bird injury determination public meeting. Phone (David Allen, Paul Kronis of WOSH Radio) bird injury determination public meeting. Phone (David Allen, Jim Hahnenberg) data quality for Green Bay. Public meeting for bird injury determination. Meeting (David Allen, Ed Culhane) interview for Appleton Post-Crescent. David Allen interviews with TV Channels 5 and 26.

11 May 1999: meeting (David Allen, Frank Horvath, Larry Dean) debriefing after public meeting. Meeting (David Allen, Frank Horvath, Joe Moniot, Tom Olson) tour of U.S. Paper facility. Site tour (David Allen, Frank Horvath, Joe Moniot) of Deposit N demonstration project (government funding only). Meeting (David Allen, Ken Stromborg) debriefing from public meeting. Phone (David Allen, Doug Beltman) debriefing from public meeting. Phone (David Allen, Mark Velleux) received comments from QEA on PCB modeling technical memoranda. Phone (David Allen, Curt Anderson) white fish in Green Bay. Phone (David Allen, Doug Beltman) bird meeting; total value equivalency meeting; conference call with Ed Lynch; PCB pathway experts. Phone (David Allen, Jim Hahnenberg) PCB modeling meeting; strategies; funding.

12 May 1999: phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch upset with attendance on remedial investigation/feasibility study calls; group looking at making glass out of PCB sediments; peer review; DNR/Oneida Tribe of Indians of Wisconsin meeting on sludge lagoons; project managers for Sediment Management Unit 56/57 project; Sediment Management Unit 56/57 dredging August-October; EPA meeting with ThermoRETEC Inc. went well, most risk assessment issues resolved; remedy review board in July; Ed Lynch claims that Green Bay data are not National Contingency Plan-compliant; PCB modeling. Phone (David Allen, Doug Beltman) PCB modeling. Phone (David Allen, Mark Velleux) QEA funding and support moving forward. Phone (David Allen, Roger Grimes) PCB modeling meeting.

13 May 1999: phone (David Allen, Josh Lipton) proposed revisions to federal regulations for natural resource damage assessment. Phone (David Allen, David Glaser) QEA and Mark Velleux on the same page, even though specific disagreements could still emerge.

18 May 1999: phone (David Allen, Doug Beltman) PCB model runs. Phone (David Allen, Maureen Katz) PCB modeling meeting; remedial investigation/feasibility study main issues remaining.

19 May 1999: phone (David Allen, Josh Lipton) outline for fish injury determination. Phone (David Allen, Emily Green) National Academy of Sciences meeting. Phone (David Allen, Mark Velleux) PCB modeling meeting. Phone (David Allen, Milt Clark) PCB modeling.

20 May 1999: Grosse Isle, MI meeting (David Allen, Jim Hahnenberg, Milt Clark, Roger Grimes, Doug Endicott, Dan Beckhard, Maureen Katz, Joan Goldfarb, Bill Richardson) PCB modeling: Office of Research and Development reorganization; oversight of and coordination with Fox River/Green Bay remedial investigation/feasibility study; Fox River; herring gulls; QEA; HydroQual; inter-agency agreements; SEDZL; Limnotech lacks expertise in sediment transport models.

21 May 1999: phone (David Allen, David Glaser) updates from PCB modeling meeting; SEDZL for Green Bay; flume data; DNR technical memoranda; 1996 walleye data; PCB models on the Hudson River (where QEA works for GE). Phone (David Allen, Mark Velleux) updates from PCB modeling meeting; data sets for food web model; DNR technical memoranda. Meeting (David Allen, Mark Holey) food webs in Green Bay. Phone (David Allen, Doug Beltman) DNR technical memoranda on PCB modeling.

01 Jun 1999: phone (David Allen, Maureen Katz) Beveridge and Diamond meetings. Phone (David Allen, Doug Beltman) DNR PCB modeling technical memoranda; PCB model runs; John Giesy for the Fox River Group; PCB pathway determination; fish injury determination; chemistry. Phone (David Allen, Joan Goldfarb) Milt Clark and Roger Grimes will find an independent interpreter of PCB modeling; information requests. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch wants to meet about schedule and data, and wants to elevate to Bill Muno again; Ed Lynch says not ready for remedy review board. Phone (David Allen, Mark Velleux) PCB data and experts; DNR PCB modeling technical memoranda.

02 Jun 1999: phone (David Allen, Bob Rowe) draft total value equivalency report.

03 Jun 1999: phone (David Allen, Bri Bill) EPA workshops on Superfund. Meeting (David Allen, Mark Holey) how much detail for fish injury determination? Meeting (David Allen, Janet Smith) natural resource damage assessment updates. remedial investigation/feasibility study conference call (David Allen, Bob Paulson, Greg Hill, Ed Lynch, Mark Sprenger, Jim Hahnenberg, Brenda Jones, Todd Goeks, Doug Beltman, Jay Fields) governmental party meetings; peer review; remedy review board; economics for ability to pay determinations; public relations; Manistique dredging; DNR PCB modeling technical memoranda; EPA/ThermoRETEC Inc. meeting; data for northern Green Bay; Great Lakes National Program Office and Lake Michigan Mass Balance Study; responsiveness summary. Phone (David Allen, Mark Velleux) DNR PCB modeling technical memoranda. Phone (David Allen, David Glaser) DNR PCB modeling technical memoranda.

04 Jun 1999: phone (David Allen, Doug Beltman) schedule for PCB pathway determination public meeting; peer review must be complete in time; do not extend time or budget! Phone (David Allen, Frank Horvath) natural resource damage assessment determination schedule - must ensure that timeline and budget hold, tight control of Hagler Bailly; remedial investigation/feasibility study. Meeting (David Allen, Mark Holey) fish injury determination. Governmental public relations conference call. Phone (David Allen, Josh Lipton, Doug Beltman) natural resource damage assessment determination schedule and strategy.

06 Jun 1999: Boulder, CO meeting (David Allen, Josh Lipton, Dan Beckhard, Maureen Katz, Joan Goldfarb, Bob Rowe, Doug Beltman, Edward Morey, Jeff Lazo, Sonya Wytinck, Bill Breffle) case updates; recreational fishing valuation; total value equivalency, links between injuries and services; final restoration and compensation determination plan. Meeting (David Allen, Dan Beckhard, Maureen Katz) PCB modeling. Meeting (David Allen, Josh Lipton, Doug Beltman) strategies.

07 Jun 1999: Boulder, CO meeting (David Allen, Doug Beltman) natural resource damage assessment details. Phone (David Allen, Doug Beltman, David Glaser, Kirk Ziegler) PCB modeling; EPA coordination.

09 Jun 1999: phone (David Allen, David Glaser) DNR and ThermoRETEC Inc. called QEA (Mark Velleux, Bob Paulson, Ed Lynch, ? Putzier, others) food web model for remedial investigation/feasibility study, possibility of contract with QEA. Phone (David Allen, Joan Goldfarb) food web model; quantification for natural resource damage assessment. Phone (David Allen, Mark Velleux) possible EA contract on remedial investigation/feasibility study. Phone (David Allen, Dan Beckhard, Maureen Katz) DOJ will talk to Roger Grimes about PCB modeling; natural resource damage assessment quantification. Phone (David Allen, Josh Lipton) natural resource damage assessment quantification and how to practically fit into federal regulations. Phone (David Allen, Frank Horvath) Boulder meeting updates; PCB modeling; recreational fishing valuation. Valuation focus groups in Green Bay.

10 Jun 1999: phone (David Allen, Doug Beltman) fish consumption advisory report; PCB modeling; pathway determination peer review. Phone (David Allen, Jim Hahnenberg) remedy review board; potentially responsible party ability to pay details about initial results. Phone (David Allen, Josh Lipton, Joan Goldfarb) natural resource damage assessment quantification.

21 Jun 1999: phone (David Allen, Joan Goldfarb) Goldfarb: George Meyer raising consistency questions between Sheboygan and Fox River; remedy review board. Phone (David Allen, Jim Hahnenberg) DNR PCB modeling technical memoranda; remedy review board strategies; EPA PCB modeling updates. Phone (David Allen, Doug Beltman) DNR PCB modeling technical memoranda; risk assessment; pathway determination; remedy review board; final restoration and compensation determination plan.

22 Jun 1999: Twin Cities, MN meeting (David Allen, Frank Horvath) briefing for Bill Hartwig; updates.

23 Jun 1999: Twin Cities, MN meeting (David Allen, Frank Horvath) letter to Greg Hill requesting review of pathway determination by Mark Velleux; updates. Meeting (David Allen, TJ Miller) updates. Phone (David Allen, Matt Richmond) detailed updates. Phone (David Allen, Marty McHugh, Todd Goeks) how to ensure protective cleanup remedy; how to accomplish restoration during cleanup; mitigation. Meeting (David Allen, Frank Horvath, Charlie Wooley) updates.

24 Jun 1999: Twin Cities, MN meeting (David Allen, Frank Horvath) briefing for Bill Hartwig. Meeting (David Allen, Frank Horvath, Charlie Wooley, Bill Hartwig, Joan Goldfarb by phone) natural resource damage assessment briefing; next steps and strategies.

25 Jun 1999: phone (David Allen, Erin Ness of Audubon Society) article for Audubon Society on the natural resource damage assessment. Governmental public relations conference call. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch wants WI natural resource damage assessment mentioned in public releases; David Allen: bad idea unless governments want press on dueling natural resource damage assessments. Meeting (David Allen, Mark Holey) lake trout study; updates. Phone (David Allen, Jim Hahnenberg) remedy review board meeting will have DNR but no natural resource damage assessment trustees (other than DNR). Meeting (David Allen, Ken Stromborg, Janet Smith) lake trout study; updates.

29 Jun 1999: Chicago, IL meeting [David Allen, Frank Horvath, George Meyer, Greg Hill, Ed Lynch, Bob Paulson, Frank Lyons (EPA Region 5 Regional Administrator), Dave Ullrich, Bill Munro, Shirley Dorsey, Roger Grimes, Jim Hahnenberg, Ari Bill, Frank Boenzi, M. Canavan, Maureen Katz, Marty McHugh, Todd Goeks, Bill Hartwig, Joan Goldfarb, Bruce Baker) Munro: schedule for remedy review board, proposed plan, record of decision; Meyer: potentially responsible party reaction? Hartwig: public relations process for remedial investigation/feasibility study and natural resource damage assessment; Lynch: remedial investigation/feasibility study summary, Sediment Management Unit 56/57 (State/Company Agreement) summary; Paulson: remedy may mostly improve river, not bay; Boenzi: ability to pay results; Meyer: unions want more than ability to pay analysis; David Allen: natural resource damage assessment updates, need to merge assessments; Meyer: Sheboygan consistency (much discussion about how differences are rational and explainable); Hartwig and Meyer: negotiation strategy meetings in August; Ullrich: EPA willing to delay National Priorities List, but need record of decision before meaningful negotiations can occur; DNR: Sediment Management Unit 56/57 dredging starts in August; David Allen to Frank Horvath: Meyer and Paulson pressing to decouple Bay from River so can focus on Fox River cleanup only.

30 Jun 1999: phone (David Allen, David Glaser) Glaser: Mark Velleux and Tim Thompson upset about having to start over on food web modeling, Thompson opining that he doesn't care if the modeling is a "pack of lies" as long as fits into the remedial investigation/feasibility study, only cares about Tech Memo 1; Glaser told Velleux that Exponent did not address QEA comments on Tech Memo 7b; PCB model updates. Phone (David Allen, Milt Clark) documentation from FWS and Hagler Bailly about rates of fish consumption by humans. Phone (David Allen, Jim Hahnenberg) remedy review board; updates. Phone (David Allen, Joan Goldfarb) remedy review board; settlement strategies. Phone (David Allen message for Greg Hill) food web modeling; schedule call for natural resource damage assessment updates. Phone (David Allen, Frank Horvath) budgets for natural resource damage assessment. Phone (David Allen, Doug Beltman) QEA and fate and transport modeling; settlement strategies; Amendola information for pathway determination.

01 Jul 1999: phone (David Allen, Josh Lipton) lake trout study ad reports; QEA and PCB modeling; settlement strategies. Meeting (David Allen, Mark Holey, Janet Smith) restoration approach. Phone

(David Allen, Jim Hahnenberg) Hahnenberg: Bob Paulson upset with EPA money to Clean Water Action Council of Northeastern Wisconsin.

06 Jul 1999: remedial investigation/feasibility study conference call (David Allen, Bob Paulson, Dave Webb, Ed Lynch, Jim Hahnenberg, Brenda Jones, Todd Goeks, Greg Hill) remedy review board; Great Lakes National Program Office data; David Allen: FWS running PCB congener fingerprinting for pathway determination on natural resource damage assessment; DNR wants oversight of Clean Water Action Council of Northeastern Wisconsin for EPA money; EPA will not impose on community relations grant; Housatonic and Hudson River; risk assessment for northern Green Bay.

07 Jul 1999: phone (David Allen, Doug Beltman) EA; pathway determination; lake trout; restoration; schedule. Phone (David Allen, David Glaser) coordination with DNR and EPA. Phone (David Allen, Mark Velleux) EA; food web model.

08 Jul 1999: phone (David Allen, Maureen Katz) Great Lakes National Program Office; DNR public relations issues; settlement strategies; how to close ranks with DNR.

09 Jul 1999: governmental public relations conference call. Phone (David Allen, David Glaser) DNR coordination. Phone (David Allen, Mark Velleux) QEA; detailed PCB modeling issues.

13 Jul 1999: phone (David Allen, Doug Beltman) PCB pathway determination; QEA and DNR; chemistry; lake trout. Phone (David Allen, Mark Velleux) Velleux: need help convincing Ed Lynch about hypothesis statement, please call him. Phone (David Allen message for Ed Lynch) about QEA and ThermoRETEC Inc.. Phone (David Allen, Bob Rowe, Edward Morey) valuation studies, technical appendices, and review.

14 Jul 1999: phone (David Allen, Ed Lynch) Mark Velleux issue; food web model. Phone (David Allen, Dave DeVault) Green Bay and Lake Michigan Mass Balance Projects and data.

15 Jul 1999: phone (David Allen, Maureen Katz) DOJ costs to litigate natural resource damage assessment. Phone (David Allen, Joan Goldfarb) details from Roger Grimes about opportunity for DOI letter to remedy review board.

16 Jul 1999: draft DOI letter to remedy review board. Meeting (David Allen, Tom Nelson, Pat Pelky) updates on entire case.

21 Jul 1999: phone (David Allen, Jim Hahnenberg) chemistry work plan; EPA liked FWS letter for remedy review board, DNR did not; Bill Munro meeting with David Mandelbaum today; remedy review board next steps; DNR revisiting Deposit N project; updates. Phone (David Allen, Bobby Wedge of the National Academy of Sciences) detailed discussion of the difference between natural resource damages and cleanup remedies; PCBs and sediments; contacts for further information. Phone (David Allen, Bob Rowe) recreational fishing damages survey schedule; substance fishing.

Phone (David Allen, Mark Velleux) DNR PCB modeling technical memoranda; State/Company agreement; flume data; stray for unified PCB modeling positions.

22 Jul 1999: phone (David Allen, Dave Webb) human health risk assessment; subsistence fishing data from Ray Hutchison. Phone (David Allen, Milt Clark) subsistence fishing data. Phone (David Allen, Frank Horvath) EPA analysis of potentially responsible party ability to pay. Phone (David Allen, Don Tillitt) lake trout study and reports.

23 Jul 1999: phone (David Allen, Don Heyford of Appleton Papers Inc.) questions about population endpoints. Governmental public relations conference call. Phone (David Allen, Tom Custer) tree swallow data from Housatonic River.

27 Jul 1999: Phone (David Allen, Mark Velleux) how to complete of modeling evaluations; Green Bay bed maps; technical memoranda. Phone (David Allen, Doug Beltman) DNR PCB modeling technical memoranda. Phone (David Allen, David Glaser) EPA and DNR coordination; Hudson River PCB models.

28 Jul 1999: phone (David Allen, Joan Goldfarb) discussion with Bob Rowe about total value equivalency; information requests; confidential business information; Oneida Tribe of Indians of Wisconsin; PCB modeling; National Academy of Sciences review of remedial investigation/feasibility study. Phone (David Allen, Roger Grimes) PCB modeling updates. Phone (David Allen, Frank Horvath) another unilateral DNR deal with Fort Howard; PCB modeling; budgets.

29 Jul 1999: phone (David Allen, Frank Horvath, Bob Rowe, Rich Bishop, Jeff Lazo, Joan Goldfarb, Maureen Katz, Dan Beckhard, Tom Nelson) recreational fishing damages study peer review; coordination with Betsy David; likely criticism from Bill Desvouges; total value equivalency updates. Phone (David Allen, Maureen Katz) total value equivalency; PCB modeling; another unilateral State/Company agreement.

30 Jul 1999: phone (David Allen, Mark Velleux) updates. Phone (David Allen, David Glaser) updates. Governmental public relations conference call; public relations representatives all found out about the new deal between DNR and Fort Howard after the fact; DNR representatives worried that it looks like another DNR blunder. Phone (David Allen, Milt Clark) remedy review board; PCB modeling; another unilateral agreement by DNR with Fort Howard. Phone (David Allen, Doug Beltman) QEA; DNR PCB modeling technical memoranda; another unilateral DNR agreement with Fort Howard; remedy review board; pathway determination; coordination with Betsy David on economics studies. Phone (David Allen, Emily Green) another unilateral DNR agreement with Fort Howard. Phone (David Allen, Becky Katers) another unilateral DNR agreement with Fort Howard.

03 Aug 1999: phone (David Allen, Mark Velleux) technical memoranda details. Phone (David Allen, Jim Hahnenberg) detailed review of the remedy review board meeting; overall, DNR helpful, but a couple of negative but minor incidents with Ed Lynch and Bob Paulson. Phone (David Allen, Maureen Katz) peer review; legislation. Phone (David Allen, Joan Goldfarb) another unilateral DNR

agreement with Fort Howard; remedy review board; National Academy of Sciences review; peer review; detailed updates on the natural resource damage assessment.

04 Aug 1999: phone (David Allen, Susan Campbell) Campbell interviewed Bruce Baker, who claims: FWS knew about the DNR assessment plan, DNR worried about FWS inflating damages and stealing needed money from cleanup, WI has most natural resource damage assessment jurisdiction and courts will uphold their assessment; Campbell speculates that WI Gov wants to force a federal takeover and then blame them for the difficulties at the site; David Allen: forceful rebuttal of each of Baker's points; Campbell speculates that the deal is good for Fort Howard. Phone (David Allen, Doug Beltman) pathway determination; DNR deal; updates. Note to team about interview with Susan Campbell.

05 Aug 1999: meeting (David Allen, Mark Velleux, Terry Lychwick, George Boronow) food web model. Phone (David Allen, Bob Rowe) subsistence fishing; information from Betsy David. Phone (David Allen, Jim Hahnenberg) schedule for remedial investigation/feasibility study and record of decision. Phone (David Allen, Joan Goldfarb, Maureen Katz) Katz and Goldfarb worried about public animosity among governmental partners, Bill Hartwig will call George Meyer, and might follow up with letter; Katz will call Cynthia Hirsch to remind Wisconsin Department of Justice that WI cannot bind the U.S. through unilateral deals. Phone (David Allen, Ed Culhane) interview about the latest unilateral DNR deal with Fort Howard. Phone (David Allen, Roger Grimes) Grimes drafting a letter to Frank Lyons about the latest unilateral DNR deal with Fort Howard.

06 Aug 1999: detailed review of latest unilateral deal by DNR with Fort Howard, including the potentially responsible party-drafted assessment plan for DNR. Phone (David Allen, Jim Hahnenberg) relay results of the review. Phone (David Allen, Josh Lipton, Doug Beltman) relay results of the review.

16 Aug 1999: Phone (David Allen, Jim Hahnenberg) Roger Grimes reports that a call by Dave Ullrich to George Meyer did not go well on Thursday; no letters to DNR for now because will just cause George Meyer to respond; Science and Technical Advisory Committee; Hagler Bailly provided data to Ed Lynch; updates. Phone (David Allen, Dave Webb) subsistence fishing data. Meeting (David Allen, Joe Moniot) Frank Horvath wants Moniot to remove the draft letter from Bill Hartwig to DNR; David Allen to Moniot: make sure that Moniot proceeds with caution, do not remove anything that is legitimately a federal document. Phone (David Allen, Frank Horvath) Frank Horvath to David Allen: stay out of the press; disagreement about legitimacy of removing draft letters and fax transmittals from the record (Frank Horvath: "do what you want, send it to the press").

17 Aug 1999: phone (David Allen, Joan Goldfarb) Goldfarb talked to Bill Hartwig before and after Hartwig call with George Meyer, sounds like it went well; Bruce Baker, Charlie Wooley, and Dave Ullrich will work together on a press release about working towards a unified natural resource damage assessment; George Meyer apparently claimed he would do it again because it was the only way to reach agreement with Fort Howard; Bill Hartwig and George Meyer also had a very negative call previously, Meyer threatening to counter any letter with his own; George Meyer very critical of

David Allen by name, but Hartwig defended; Maureen Katz was ok with the draft letter from Hartwig, but also ok with not sending it. Phone (David Allen, Josh Lipton, Doug Beltman) strategy for press and public relations; lake trout study results; pathway determination; fish injury determination. Phone (David Allen, Roger Grimes) Grimes: Dave Ullrich said the call with George Meyer and Frank Lyons was very negative; Friday follow-up call DNR agreed to cease unilateral press releases, and all agreed not to send letters; friction between DNR and FWS is greater than between EPA and DNR, Meyer accuses FWS of press leaks; EPA not at all upset with the press coverage because forces public examination of the problem; emails to Frank Lyons indicate a real danger of unilateral settlements by DNR with potentially responsible parties, must remain vigilant.

18 Aug 1999: meeting (David Allen, Mark Holey) public relations; lake trout results; strategy and schedule for fish injury determination. Meeting (David Allen, Tom Nelson) public relations; Oneida Tribe of Indians of Wisconsin sent letter to DNR; Oneida Tribe of Indians of Wisconsin wants to be on calls with Ullrich, Baker, Wooley; DNR violated the intergovernmental memorandum of agreement; pathway determination; fish injury determination; total value equivalency; restoration; settlement opportunities and litigation; Oneida Tribe of Indians of Wisconsin negotiations with WI on casinos. Phone (David Allen, Jim Hahnenberg) Oneida Tribe of Indians of Wisconsin excluding DNR employees from reservation lands, interfering with air monitoring; Oneida Tribe of Indians of Wisconsin and Menominee Indian Tribe of Wisconsin on calls between EPA, FWS, DNR. Detailed analysis of problems with the DNR assessment plan. Phone (David Allen message for Greg Hill) please send Appendices for the assessment plan.

19 Aug 1999: Twin Cities, MN meeting (David Allen, Frank Horvath, Charlie Wooley) Joan Guilefoyle point of contact for press; bullet points for Wooley meeting with DOI on budget; pathway coordination documentation; strategies for public relations, including leveraging DNR away from unilateral settlements; Bill Hartwig no longer trusts George Meyer, at all, want to protect David Allen from DNR so that natural resource damage assessment can cross finish line before DNR tries to reach more unilateral settlements.

20 Aug 1999: governmental public relations conference call (David Allen, Ed Lynch, Corrine Callahan, Sue Pastor, Bri Bill, Chuck Warszecka, Dave Crehore). Phone (David Allen, Doug Beltman) contract; pathway determination; lake trout results.

24 Aug 1999: phone (David Allen, Doug Beltman, Mark Holey, Don Tillitt) lake trout study results. Phone (David Allen, Peter Hays of the Superfund Report) background and history of FWS efforts to coordinate natural resource damage assessment with DNR; David Allen gave contacts at DNR, NOAA, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin, non-governmental organizations for broader perspective. Phone (David Allen, Vicki Harris) David Allen please come to next Science and Technical Advisory Committee for natural resource damage assessment updates. Phone (David Allen, Greg Hill) economics details from Triangle Economics Research Inc. and Bill Desvougues.

25 Aug 1999: Science and Technical Advisory Committee meeting: David Allen: Science and Technical Advisory Committee should argue forcefully for natural resource damage assessment restoration as part of the solution for Fox River and Green Bay and against dealing assessment; Science and Technical Advisory Committee will send letters; Science and Technical Advisory Committee praise for FWS and EPA efforts, including keeping the public informed. Phone (David Allen, Joan Goldfarb) Science and Technical Advisory Committee meeting; updates; settlement strategy. Phone (David Allen, Bob Rowe) Rowe talked with Betsy David about Triangle Economics Research Inc. proposals and information. David Allen email to Frank Horvath and Charlie Wooley about Science and Technical Advisory Committee meeting.

26 Aug 1999: detailed review of final pathway determination. Detailed review of Triangle Economics Research Inc. proposals and information.

30 Aug 1999: assessment results: PCB pathway determination. Phone (David Allen, Frank Horvath) Bill Hartwig signed the PCB pathway determination. Phone (David Allen, Greg Hill) updates. Public meeting presentations on pathway determination; Ron Kazmierczak, regional director of DNR Green Bay district complimented on evenhandedness of presentations; Charlie Wooley heard the same and asked them to tell Bruce Baker; State Assemblyman: best job he's ever seen handling difficult questions.

31 Aug 1999: phone (David Allen, Josh Lipton) debrief from public meeting; lake trout schedule. Phone (David Allen, Bob Rowe) recreational fishing damages report. Phone (David Allen, Susan Campbell) PCB pathway determination.

01 Sep 1999: phone (David Allen, Patty Murray of Wisconsin Public Radio) PCB pathway determination. Phone (David Allen, Mark Velleux) DNR PCB modeling technical memoranda. Phone (David Allen, David Glaser) DNR coordination; remedial investigation/feasibility study updates. Phone (David Allen, Jill Larson of American Chemistry Society) David Allen lecture on PCB pathways September 23. Detailed comments on DNR assessment plan. Letter from Sec. Meyer to FWS inviting to tour of Sediment Management Unit 56/57 demonstration project.

02 Sep 1999: Fox River and Green Bay site visit (David Allen, Joe Moniot, Matt Millenbach of DOI, Headquarters, natural resource damage assessment). Draft FWS comments on unilateral DNR assessment plan prepared by potentially responsible parties.

03 Sep 1999: phone (David Allen, Doug Beltman) DNR unilateral assessment plan. Phone (David Allen, Tom Nelson) DNR unilateral assessment plan. Phone (David Allen, Frank Horvath) meetings on fish injury; pathway determination; confirmation hearing for Don Hays (deputy secretary). Phone (David Allen, Mark Velleux) PCB modeling evaluation schedule, deadlines, and end game.

07 Sep 1999: phone (David Allen, Frank Horvath) Bill Hartwig looking at FWS comments to DNR on DNR unilateral assessment plan, send in afternoon unless hear otherwise; Marvin Moriarty will fax signed final version to George Meyer. Incorporate edits on FWS comments to DNR (on DNR

assessment plan) from Bill Hartwig, Joan Goldfarb, Frank Horvath, Doug Beltman, Josh Lipton, Joe Moniot. Phone (David Allen, Mark Velleux) PCB modeling meetings.

08 Sep 1999: phone (David Allen, Marty McHugh) McHugh: strategies for national briefings about the danger of unilateral DNR cleanup and restoration efforts. Phone (David Allen, Frank Horvath) fish injury meetings. Phone (David Allen message for Greg Hill) please confirm receipt of FWS comments on DNR assessment plan. Phone (David Allen, Jim Hahnenberg) Hahnenberg: do not worry about emails from ThermoRETEC Inc. to the contrary, because EPA has already formally decided to include Green Bay in the remedial investigation/feasibility study.

09 Sep 1999: meeting (David Allen, Mark Holey) fish injury data, database, appendices; Holey: Ron Fassbender of DNR said that Bruce Baker blew off FWS request for readily available data, "FWS is always asking for data." Phone (David Allen, Joan Goldfarb) DOI budget meeting; inform Charlie Wooley about Bruce Baker inaction on data request. Phone (David Allen, David Glaser) PCB modeling updates. Phone (David Allen, Mark Velleux) Velleux: can David Allen meet with George Boronow and Terry Lychwick of DNR-Green Bay for Velleux to help focus discussions on PCB modeling technical memoranda?; Velleux read and understood FWS comments on DNR assessment plan. Send FWS comments on DNR assessment plan to Emily Green and Becky Katers. Meeting (David Allen, Ken Stromborg) Susan Campbell wants copy of FWS comments on DNR assessment plan. Phone (David Allen, Susan Campbell) FWS comments on DNR assessment plan.

10 Sep 1999: phone (David Allen., Mark Velleux) Velleux: Bob Paulson cancelled the meeting at DNR-Green Bay. Phone (David Allen, Keith Easton) Easton: send FWS comments on DNR assessment plan. Phone David Allen, Ed Lynch) David Allen: ok for FWS to send letter to DNR about QEA modeling arrangements? fine.

14 Sep 1999: phone (David Allen, Maureen Katz) FWS comments on DNR assessment plan; letter to Ed Lynch on QEA modeling arrangements. Phone (David Allen, Larry Zaragoza of National Academy of Sciences) Fox River field trip; tensions between DNR and EPA/FWS/Tribes. Phone (David Allen, Robbie Wedge of National Academy of Sciences, Corrine Billings, Larry David, 2 people from EPA Office of Research and Development) National Academy of Sciences field trip of Fox River; DNR wants to lead the trip with DNR technical people; FWS, EPA, Tribes, potentially responsible parties, Becky Katers, Emily Green will also be invited though. Phone (David Allen, Susan Campbell) National Academy of Sciences review and field trip. Phone (David Allen, Joan Goldfarb, Maureen Katz) letter to Ed Lynch on QEA modeling arrangements; November meeting on natural resource damage assessment strategies and plans. Phone (David Allen, Corrine Billings) next Fox River Current issue. Phone (David Allen, Bob Rowe) total value equivalency article; total value equivalency survey mailing; DNR economics data and economics meeting. Phone (David Allen, Joan Goldfarb) Fox River sediment cleanup level likely to be increased to 1.0 ppm PCB in remedial investigation/feasibility study; remedy review board; meeting between Brenda Jones and David Mandelbaum: potentially responsible parties want soft sediment only in cleanup; meeting between Roger Grimes and Andy Schlickman: potentially responsible parties want flexibility in the record of decision; public relations. Phone (David Allen message for Greg Hill) economics meeting and economics data.

15 Sep 1999: Twin Cities, MN meeting (David Allen, Frank Horvath, Charlie Wooley, Joan Guilefoyle) natural resource damage assessment strategies; public relations; updates.

16 Sep 1999: plans for David Allen lecture on PCB pathway determination to American Chemical Society. Phone (David Allen, Charlie Wooley) Wooley: Bruce Baker wants to talk to FWS and Service consultants about economics; David Allen: only after October 15, and only coordination plus recreational fishing valuation study. Letter to Ed Lynch on QEA PCB modeling coordination. Phone (David Allen, Joan Goldfarb) DOI funding proposal; water and sediment injury determination; next Boulder meeting for natural resource damage assessment.

17 Sep 1999: phone (David Allen, Maureen Katz) coordination with Ed Lynch. Phone (David Allen, Mark Velleux) Green Bay sediment bed maps.

21 Sep 1999: phone (David Allen, Dan Beckhard, Maureen Katz) details on meeting on remedial investigation/feasibility study with Andy Schlickman, Nancy Peterson, Jim Marshall); PCB modeling issues. Phone (David Allen, Jim Hahnenberg) Hahnenberg: DNR bailing on the National Academy of Sciences site tour, can David Allen help? Phone (David Allen, Doug Beltman) natural resource damage assessment and remedial investigation/feasibility study updates.

22 Sep 1999: meeting (David Allen, Ken Stromborg) updates; National Academy of Sciences field trip. Phone (David Allen, Robby Wedge) National Academy of Sciences field trip: David Allen and Jim Hahnenberg will lead it. remedial investigation/feasibility study/natural resource damage assessment conference call (FWS, EPA, DNR) peer review; remedy review board; Bob Paulson and Ed Lynch: DNR upset about having to do additional analyses; National Academy of Sciences presentations: Bob Paulson, Ed Lynch, and Bill Fitzpatrick may attend but will not say anything because no advantage for Wisconsin, especially since National Academy of Sciences cannot affect Wisconsin like federal agencies can; David Allen strategies for National Academy of Sciences presentations; Ed Lynch wants only EPA and National Academy of Sciences on the field trip, David Allen: Academy will bring whoever they want to bring, but Wisconsin should definitely participate; meeting on ecological risk with Fox River Group; Greg Hill: Wisconsin will not agree to potentially responsible party attempt at second risk assessment via the natural resource damage assessment.

23 Sep 1999: phone (David Allen, Bob Rowe) total value equivalency; recreational fishing damages; strategies for incorporation into claims. Phone (David Allen, Maureen Katz) DNR coordination; remedial investigation/feasibility study call; natural resource damage assessment updates. Presentation to the American Chemical Society on the pathway determination.

24 Sep 1999: Milwaukee, WI presentation to the International Joint Commission on Green Bay natural resource damage assessment.

27 Sep 1999: phone (David Allen, Brian Duffy) questions about remedial investigation/feasibility study and allocation schedule. National Academy of Sciences field trip and meeting.

28 Sep 1999: Green Bay natural resource damage assessment presentation to National Academy of Sciences meeting; Meeting (David Allen, Greg Hill) Hill: Bruce Baker, Dave Ullrich, Marty McHugh meeting about next steps; economics meetings plans for Milwaukee and Boulder with David Allen, Frank Horvath, Josh Lipton, Charlie Wooley, Bob Rowe, Edward Morey, Doug Beltman, Greg Hill, Keith Easton, David Chalmers, Bruce Baker, Bob Paulson, Ed Lynch, Betsy David. Phone (David Allen, David Glaser) DNR coordination. Phone (David Allen, Mark Velleux) PCB modeling updates. Phone (David Allen, Josh Lipton, Doug Beltman) DNR economics meeting; National Academy of Sciences meeting; fish injury determinations. Phone (David Allen, Frank Horvath) DNR economics coordination meetings; MI co-trustee letters; updates. Phone (David Allen, Becky Katers) Katers: send overhead slides from National Academy of Sciences presentation.

29 Sep 1999: meeting (David Allen, Janet Smith) natural resource damage assessment updates. Meeting (David Allen, Mark Holey) fish injury determination updates. Phone (David Allen, Bob Rowe) economics coordination meeting with DNR. Phone (David Allen message for Greg Hill) do we need Bob Paulson and Ed Lynch at economics coordination meeting? Phone (David Allen, Milt Clark) Clark: heard that FWS presentation at National Academy of Sciences was good; can QEA run PCB models for EPA? Phone (David Allen, Bri Bill) agree that DNR article about their assessment plan is inappropriate for the intergovernmental Fox River Current. Phone (David Allen, Corrine Billings) EPA will modify language for Fox River Current. Phone (David Allen, Tom Nelson) Oneida Tribe of Indians of Wisconsin will support FWS RE DNR article for Fox River Current on DNR assessment plan.

30 Sep 1999: phone (David Allen, Robbie Wedge of National Academy of Sciences) question about field trip. Phone (David Allen, Greg Hill) schedule for economics coordination. Phone (David Allen, Jim Hahnenberg) feasibility study; peer review issue. Phone (David Allen, Milt Clark) National Academy of Sciences; PCB modeling. Phone (David Allen, Maureen Katz) Katz: does DOJ need to weigh in on DNR article RE DNR assessment plan in Fox River Current? David Allen: only if Wisconsin refuses to modify language. Phone (David Allen, Bob Rowe) drafts of total value equivalency. Phone (David Allen, Greg Hill) total value equivalency story for Fox River Current; total value equivalency study summary; Hill: agree to edit DNR story on DNR assessment plan.

01 Oct 1999: detailed review of fish injury determination. Governmental public relations conference call.

05 Oct 1999: phone (David Allen, Joan Goldfarb) Clean Water Act natural resource damage assessment claims. Phone (David Allen, David Glaser) emails from Mark Velleux; possibility of EPA hiring QEA for PCB model runs. Phone (David Allen, Don Tillitt) remedial investigation/feasibility study biomonitoring opportunities. Phone (David Allen, Doug Beltman) remedial investigation/feasibility study biomonitoring opportunities. Phone (David Allen, Jim Hahnenberg) Bill Muno emailed Ed Lynch about PCB model runs. Detailed review of draft recreational fishing damages determination.

06 Oct 1999: detailed review of draft recreational fishing damages determination. Phone (David Allen, Charlie Wooley) detailed updates.

08 Oct 1999: phone (David Allen, Frank Horvath, Joan Goldfarb) recreational fishing damages determination; DNR coordination; updates. Phone (David Allen, Doug Beltman) Beltman: Ed Lynch called about “secret documents” that he believes FWS has. Phone (David Allen, Charlie Wooley) updates. Phone (David Allen, Marty McHugh) McHugh: at meeting of State natural resource damage assessments, Greg Hill fell on his face; Steve Davis of Illinois Environmental Protection Agency asked about dealing natural resource damage assessment at Fox River; Hill came across as arrogant and bought off by potentially responsible parties; nobody interacted with Hill afterwards.

12 Oct 1999: phone (David Allen, Mark Velleux) ThermoRETEC Inc. food web model; DNR PCB modeling technical memoranda details; strategies and updates; David Allen: Wisconsin/federal relationship is so poor that EPA cannot afford to rely on any Wisconsin expert (including for modeling) who Wisconsin managers could simply make unavailable on a whim; David Allen: better opportunity is for Velleux to help EPA line up Agency experts who are aware of Velleux’s work. Phone (David Allen, Roger Grimes) Grimes: Greg Hill has been talking about “potentially reasonable parties” and presumptive state lead. Recreational fishing damages conference call (David Allen, Bob Rowe, Dan Beckhard, Maureen Katz) review by David Chapman at NOAA; peer review; schedule; review by Betsy David; past damages; public comments. Phone (David Allen, Joan Goldfarb) review of legal team call; Fox River Group review of ecological risk assessment and PCB modeling; EPA peer review of remedial investigation/feasibility study; data quality; natural resource damage assessment updates.

13 Oct 1999: remedial investigation/feasibility study conference call. Phone (David Allen, Jim Hahnenberg) updates.

14 Oct 1999: meeting (David Allen, Joe Moniot) reading room visit by Ed Lynch, Bob Paulson, Paul Putzier of NRI, Tim Thompson, and others. Phone (David Allen, Tom Erdman) sample locations. Phone (David Allen, Mark Velleux) discussion about whether numeric, computer models of PCB transport are necessary for interpretation of relevant data. Phone (David Allen, Roger Grimes) relay conversation with Mark Velleux about alternatives to numeric computer models for interpreting data relevant to PCB fate and transport.

15 Oct 1999: governmental public relations conference call. Phone (David Allen, Bob Rowe, Doug Beltman) recreational fishing damages determination details. Phone (David Allen, Frank Horvath) DOI funding for Green Bay natural resource damage assessment.

19 Oct 1999: meeting (David Allen, Tom Nelson) total value equivalency; funding; determinations for natural resource damage assessment. Meeting (David Allen, Ken Stromborg) posters for scientific conferences. Phone (David Allen, Becky Katers) potentially responsible parties funding peer reviews of remedial investigation/feasibility study elements. Phone (David Allen, Matt Richmond) Matt Richmond: keep sending detailed documents to Assistant U.S. Attorney; detailed updates; settlement

strategies; Matt Richmond wants to be at upcoming meetings on natural resource damage assessment. Phone (David Allen, Jim Hahnenberg) peer review; updates. Phone (David Allen, Maureen Katz) water injury determination and trusteeship of water resources. Phone (David Allen, Doug Beltman) QEA; Josh Lipton recommendations for public relations on fish injury determination and recreational fishing damages determination; updates.

20 Oct 1999: meeting (David Allen, Ken Stromborg) eagle data and Bill Bowerman. Phone (David Allen, Jim Hahnenberg) schedule for recreational fishing damages determination; EPA economics analysis for remedial investigation/feasibility study; briefings for Dave Ullrich; Dave Ullrich will talk to Bruce Baker about refraining from bashing EPA on Green Bay efforts; peer review participation; Sediment Management Unit 56/57 dredging results to date; Deposit N completion and results; possibility of early dredging project at Deposit A.

21 Oct 1999: meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Milt Clark) strategies for public relations on remedial investigation/feasibility study peer review, ability to pay, recreational fishing damages. Phone (David Allen, Frank Horvath) updates.

22 Oct 1999: phone (David Allen, Becky Katers) Fox River Group peer review of remedial investigation/feasibility study elements; reading room; updates.

25 Oct 1999: phone (David Allen, Joan Goldfarb) water injury determination and jurisdiction. Phone (David Allen, Frank Horvath) DOI funding of Green Bay natural resource damage assessment.

26 Oct 1999: phone (David Allen, David Glaser) Glaser: feedback from National Academy of Sciences: FWS presentation was the best and most useful; DNR PCB modeling technical memoranda; EPA possibly using QEA. Phone (David Allen, Mark Velleux) DNR PCB modeling technical memoranda.

27 Oct 1999: phone (David Allen, Maureen Katz) recycling rider on latest budget bill; reading room filing system; allocation; next public meeting for natural resource damage assessment. Phone (David Allen, Jim Hahnenberg) Hahnenberg: press releases and public relations; Ed Lynch wants changes to EPA press release that are unacceptable to Agency, Dave Ullrich will talk to Bruce Baker; Wisconsin /Agency friction has been increasing. Phone (David Allen, Greg Hill) DNR PCB modeling technical memoranda. Phone (David Allen, Frank Horvath) Frank Horvath met with Matt Millenbach, Frank Deluise, Bruce Nessler: Deluise critical of Green Bay natural resource damage assessment (mostly related to funding). Phone (David Allen, Maureen Katz) public relations and DNR. Phone (David Allen, Doug Beltman) statistical analyses for natural resource damage assessment determinations; lake trout studies; water and sediment injury determination. Meeting (David Allen, Ken Stromborg) biomonitoring opportunities on remedial investigation/feasibility study.

28 Oct 1999: meeting (David Allen, Mark Holey) fish injury determination updates. Phone (David Allen, Joan Goldfarb) DOI funding proposal for Green Bay natural resource damage assessment; strategy session with DOJ; legal team call updates; language for water and sediment injury determination; lake trout; updates. Phone (David Allen, Bob Rowe) recreational fishing damages for

various time periods. Phone (David Allen, Frank Horvath, Charlie Wooley) Wooley: Bruce Baker was happy about advance notice on public meeting; press releases; schedule for natural resource damage assessment determinations; allocation meeting.

29 Oct 1999: governmental public relations conference call. Phone (David Allen, Doug Beltman) chapter on lake trout results. Phone (David Allen, Charlie Wooley) schedule for fish injury determination. Phone (David Allen, Josh Lipton, Doug Beltman, David Glaser, Kirk Ziegler, John Connolly, Peter I.) potentially responsible party peer review of remedial investigation/feasibility study PCB modeling.

01 Nov 1999: Washington, D.C. meeting (federal) allocation of liability of potentially responsible parties.

02 Nov 1999: Washington, D.C. meeting (federal) allocation of liability of potentially responsible parties.

03 Nov 1999: Washington, D.C. meeting (David Allen, Frank Horvath, Maureen Katz, Joan Goldfarb) natural resource damage assessment end game and negotiations.

04 Nov 1999: phone (David Allen, Charlie Wooley) strategy for final review and signature on fish injury determination and recreational fishing damages determination and water/sediment injury determination. Meeting (David Allen, Ken Stromborg) natural resource damage assessment updates. Phone (David Allen, Jim Hahnenberg) Hahnenberg unhappy about Dave Ullrich decision on joint press release (DNR/EPA).

05 Nov 1999: phone (David Allen, Jim Hahnenberg) updates; peer review; Mark Velleux and PCB modeling; QEA, DOJ, and PCB modeling. Phone (David Allen, Maureen Katz) updates; PCB modeling; QEA as advisor to EPA as "Devil's Advocate." Phone (David Allen, Susan Campbell) interview about determinations of water/sediment injury, fish injury, recreational fishing damages. Phone (David Allen, Charlie Wooley) briefings for Bill Hartwig; upcoming call between Dave Ullrich and Bruce Baker. Final review of sediment/water injury determination, fish injury determination, recreational fishing damages determination.

08 Nov 1999: Green Bay natural resource damage assessment determinations: surface water resources, fishery resources, recreational fishing damages. Interview (David Allen, Jeff Alexander of Channel 2 News) natural resource damage assessment determinations. Phone (David Allen, Charlie Wooley, Bill Hartwig) all 3 determinations signed. Interview (David Allen, Brian Kirin) natural resource damage assessment determinations. Interview (David Allen, Brian Kronis of WOSH Radio) natural resource damage assessment determinations. Phone (David Allen, Tom Nelson) press releases; remedial investigation/feasibility study. Public meeting and assessment results: injuries and damages to fisheries resources and water resources.

09 Nov 1999: phone (David Allen, Joan Goldfarb) updates about public meeting. Phone (David Allen, Roger Grimes) peer review of remedial investigation/feasibility study elements by Fox River Group through American Geosciences Institute. Meeting (David Allen, Ken Stromborg, Mark Holey, Janet Smith) updates about public meeting. Phone (David Allen, Joan Goldfarb, Marty McHugh) DNR estimates the cost of the remedy in the remedy review board package at \$400 million; how to resolve joint natural resource damage assessment issues to allow early restoration; McHugh talk to Greg Hill and Ben Fisherow talk to George Meyer and Gov Thompson. Phone (David Allen, Bob Rowe) updates from public meeting.

10 Nov 1999: meeting (David Allen, Ed Lynch, Eric Kovatch of ThermoRETEC Inc.) conference call to go through FWS comments on remedial investigation/feasibility study to ensure they are addressed; updates and regular remedial investigation/feasibility study call, FWS engaged even when occasionally miss calls; restoration opportunities during remedy; reading room. Phone (David Allen, Joan Goldfarb, Peggy ? of Oneida Tribe of Indians of Wisconsin) tribal natural resource damage assessment elements; de minimis settlements and timing with record of decision; resolving joint natural resource damage assessment issues with DNR. Phone (David Allen, Gary Amendola) next steps on allocation; Green Bay Packaging information. Phone (David Allen, Josh Lipton, Doug Beltman) public meeting updates; natural resource damage assessment data and literature; restoration and total value equivalency determination plans and schedule; de minimis settlements; end game strategies for natural resource damage assessment.

12 Nov 1999: de minimis settlements; updates; water injury report; press.

16 Nov 1999: phone (David Allen, Jim Hahnenberg) updates from public meeting; updates from meeting with Ed Lynch and ThermoRETEC Inc.; National Academy of Sciences and Hudson River; peer review; updates.

17 Nov 1999: remedial investigation/feasibility study conference call: EPA economic analysis; Fox River Group/American Geosciences Institute peer review; water quality standards applicable or relevant and appropriate requirements; meeting between FWS and DNR/ThermoRETEC Inc. was productive; fish injury determination by FWS; David Mandelbaum meeting with EPA tomorrow; Sediment Management Unit 56/57 stopping in December with 25k-30k yards of sediment removed. Phone (David Allen, Frank Horvath, Charlie Wooley) natural resource damage assessment funding and budget; next natural resource damage assessment meetings; updates.

18 Nov 1999: presentation on Green Bay natural resource damage assessment to Green Bay Harbor Commission. Phone (David Allen, Mark Velleux) Velleux: FWS should participate in Fox River Group/American Geosciences Institute peer review to counteract one-sided, arcane view of potentially responsible parties; DNR PCB modeling technical memoranda. Phone (David Allen, Jim Hahnenberg) David Mandelbaum presented the same remedy proposal as previously; Mandelbaum admitted that some removal might be necessary, though; DNR PCB modeling and Fox River Group/American Geosciences Institute peer review; ability to pay analysis.

19 Nov 1999: phone (David Allen, David Glaser) Fox River Group/American Geosciences Institute peer review. Phone (David Allen, Charlie Wooley) next meetings. Phone (David Allen, Frank Horvath) extensive updates.

22 Nov 1999: phone (David Allen, Joan Goldfarb) DNR coordination. Phone (David Allen, Maureen Katz) Fox River Group/American Geosciences Institute peer review; updates. Comments on risk assessment for northern Green Bay.

23 Nov 1999: phone (David Allen, Joan Goldfarb, Marty McHugh) legal team call: how to merge natural resource damage assessment with DNR; extensive updates.

30 Nov 1999: phone (David Allen, Joan Goldfarb) Goldfarb: Marty McHugh and Peggy Schneider called Greg Hill about DNR participation in FWS natural resource damage assessment, Hill said good idea but needs to be cleared with Bruce Baker, Hill worried about lack of information from Service in previous memorandum of agreement, McHugh said Wisconsin formal refusal to participate makes complete sharing of sensitive information difficult. Phone (David Allen, Maureen Katz, Joan Goldfarb, Roger Grimes) how to engage Fox River Group/American Geosciences Institute forcefully with expertise. Meeting (David Allen, Gary Amendola, Matt Oxsilida) PCB releases, allocation, and information requests. Phone (David Allen, Charlie Wooley) updates; MI co-trustee letters. Phone (David Allen, John Tracy of Desert Research Institute) Tracy contacted by American Geosciences Institute, who was contacted by Fox River Group; Fox River Group wants review of the validity of PCB models for addressing remediation; initial meeting will be for presentation of relevant materials; questions for agencies; peer review of information. Phone (David Allen, Jim Hahnenberg) walleye injuries and PCBs. Phone (David Allen, Maureen Katz) details. Phone (David Allen, David Glaser) Glaser: Willie Lick thinks Fox River Group is trying to control PCB modeling debate for public relations purposes. Meeting with Green Bay Packaging and Amendola Engineering Inc. about PCB releases. Phone (David Allen, Doug Beltman) QEA, MI co-trustee letters, strategies, updates, contract, restoration planning.

02 Dec 1999: Washington, D.C. meeting to brief the FWS assistant director on the Green Bay natural resource damage assessment: meeting (David Allen, Charlie Wooley, Joan Goldfarb) preparations for briefing; meeting (David Allen, Charlie Wooley, Joan Goldfarb, Gary Frazier, John Rogers, Everett Wilson, two others) Green Bay natural resource damage assessment briefing. Phone (David Allen, Maureen Katz, Joan Goldfarb) allocation; de minimis settlements; litigation cost estimates.

03 Dec 1999: phone (David Allen, Joan Goldfarb) Goldfarb: Marty McHugh raised with DNR joining natural resource damage assessment. Letter RE Fox River Group/Appleton Papers Inc. peer review of PCB modeling.

06 Dec 1999: phone (David Allen message for Greg Hill) Fox River Group/American Geosciences Institute peer review. Phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb, Marty McHugh, Maureen Katz, Bruce Baker, Greg Hill, Sherri Eggelson, Peggy Schneider) negotiation strategy; how to merge natural resource damage assessments; Baker: remediation meetings better idea

than damage assessment meetings; David Allen: covenant not to sue will require damage assessment elements; Hill: Wisconsin needs months to figure out damage assessment. Phone (David Allen, Greg Hill) David Allen: FWS vision for restoration determination and how to merge damage assessments; David Allen will propose steps and agenda for next natural resource damage assessment meeting. Phone (David Allen, Frank Horvath) updates; contract audit; meetings.

10 Dec 1999: Appleton, WI Fox River Group/American Geosciences Institute peer review meeting on PCB modeling (short FWS presentation).

13 Dec 1999: David Allen interview with WGEE on Fox River Group/American Geosciences Institute peer review meeting. Phone (David Allen, Joan Goldfarb) U.S. paper; DOI managers supportive of Green Bay natural resource damage assessment; strategies RE 2000 election timing. Phone (David Allen, Greg Hill, Bruce Baker) good article by Ed Culhane. Phone (David Allen, Greg Hill) Hill will check with Bruce Baker about natural resource damage assessment meeting agenda. Phone (David Allen, Joan Goldfarb, Charlie Wooley) Wooley will call Bruce Baker about next coordination steps; U.S. Paper; updates.

14 Dec 1999: phone (David Allen, Joe Ramchek) questions about bird injury determination. Phone (David Allen, Jim Hahnenberg) Hahnenberg good FWS presentation at Fox River Group/Appleton Papers Inc. peer review meeting; updates. Phone (David Allen, Chris Thompson of DOI Secretary office) White House initiative on Great Lakes livability; extensive questions and answers about Green Bay natural resource damage assessment. Phone (David Allen, Matt Richmond) first assistant may want to attend natural resource damage assessment meeting; updates. Phone (David Allen, Frank Horvath) updates.

15 Dec 1999: Oshkosh, WI meeting (David Allen, Doug Beltman, Ed Lynch, Bob Paulson, Dave Webb) apparent consensus on most FWS comments on remedial investigation/feasibility study.

16 Dec 1999: Milwaukee, WI meeting (David Allen, Matt Richmond, Marty McHugh, Tom Nelson, Doug Beltman, Bruce Baker, Greg Hill) how to merge natural resource damage assessments; assessment plan addendum to formally merge natural resource damage assessments.

17 Dec 1999: phone (David Allen, Maureen Katz) updates from meeting on merging natural resource damage assessments; updates on remedial investigation/feasibility study meeting; updates on Fox River Group/Appleton Papers Inc. modeling meeting. Phone (David Allen, Frank Horvath) budget updates. Phone (David Allen, Marty McHugh) assessment plan addendum to merge natural resource damage assessments.

21 Dec 1999: phone (David Allen, Joan Goldfarb) assessment plan addendum to merge natural resource damage assessments. Phone (David Allen, Milt Clark) walleye and tern data. Phone (David Allen, Susan Campbell) Cat Island chain restoration project.

05 Jan 2000: phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb, Marty McHugh, Tom Nelson) meeting with DNR to merge natural resource damage assessments; modeling meeting. Phone (David Allen, Doug Beltman) Beltman: Marty McHugh to become assistant director at NJ DEP; meeting with DNR to merge natural resource damage assessments; restoration planning; remedial investigation/feasibility study call; modeling; contracting. Phone (David Allen, Jim Hahnenberg) PCB modeling meeting. Phone (David Allen, Joan Goldfarb) PCB modeling meeting. Phone (David Allen message for Greg Hill) Fox River Group/American Geosciences Institute PCB modeling meeting; remedial investigation/feasibility study.

06 Jan 2000: Milwaukee, WI meeting (David Allen, Frank Horvath, Matt Richmond, Charlie Wooley, Joan Goldfarb, Marty McHugh, Dan Beckhard, Maureen Katz, Tom Nelson, Peggy Schneider, Cynthia Hirsch, Greg Hill, Bruce Baker) daily coordination; Velleux PCB modeling; DNR consultants on natural resource damage assessment; Baker: potentially responsible parties must be convinced that worthwhile to fund natural resource damage assessment experts; assessment plan addendum to merge natural resource damage assessments will require several iterations; Marty McHugh and Doug Beltman will draft first draft of assessment plan addendum to merge assessments; allocation; next meeting.

07 Jan 2000: phone (David Allen, Doug Beltman) updates from meeting with DNR; next meetings with DNR. Phone (David Allen message for Greg Hill) QEA and PCB modeling. Governmental public relations conference call. EPA remedial investigation/feasibility study conference call. Phone (David Allen, Dave Ullrich, Bruce Baker, Tom Nelson, Pat Pelky, Marty McHugh, Roger Grimes, Shirley Dorsey) Baker: DNR upset with remedial investigation/feasibility study and biological technical assistance group participation, do not want surprises; McHugh: restoration planning; David Allen: PCB modeling to help prioritize; meeting RE Sheboygan and Fox River; potentially responsible parties upset about last meeting. Phone (David Allen, Julie Pavola of WGEE) Fox River Group/American Geosciences Institute peer review of PCB modeling. Phone (David Allen, Rachael Erdman of Superfund Report) long discussion about PCB modeling and peer review. Phone (David Allen, Mark Velleux) PCB modeling peer review; updates.

11 Jan 2000: phone (David Allen, Doug Beltman) assessment plan addendum to merge natural resource damage assessments.

12 Jan 2000: phone (David Allen, Rachael Erdman of Superfund Report) updates on participation in PCB modeling peer review. Phone (David Allen, Joan Goldfarb) Fox River Group/American Geosciences Institute peer review on PCB modeling.

14 Jan 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg sending letter to Ed Lynch about PCB concentrations in sediment as cleanup endpoints. Phone (David Allen, Mark Holey) updates. Phone (David Allen, Doug Beltman) meetings; budgets; contracts; billings; PCB modeling meeting; remedial investigation/feasibility study meeting; analyses of cleanup alternatives. Phone (David Allen, Joan Goldfarb) Goldfarb: Cynthia Hirsch has 4 issues with the assessment plan addendum to

merge assessments: too definite; cannot concede tribal trusteeship; need to contact the Fox River Group before agreeing; confidentiality.

18 Jan 2000: phone (David Allen, Tom Nelson) Fox River Group/American Geosciences Institute peer review; assessment plan addendum to merge assessments; meeting with municipalities. Phone (David Allen, Bri Bill) meeting with municipalities. Phone (David Allen, Madison attorney Steve Schreck) updates and questions on natural resource damage assessment.

19 Jan 2000: meeting between governmental parties and municipalities. Meeting (David Allen, Frank Horvath) updates; hires for natural resource damage assessment.

20 Jan 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: Frank Lyons upset with DNR agenda and handling of tribes; detailed updates. Phone (David Allen, Bob Post of U.S. Army Corps of Engineers) relevant data, reports, literature for U.S. Army Corps of Engineers reconnaissance survey of Fox River. Meeting (David Allen, Ken Stromborg, Janet Smith) updates. Phone (David Allen, Mark Velleux) Velleux: DNR managers pressuring for results before analyses are complete; updates. Phone (David Allen, Frank Horvath) Bill Hartwig briefing on Green Bay natural resource damage assessment for Bruce Babbitt.

21 Jan 2000: phone (David Allen, Maureen Katz; Dan Beckhard) Fox River Group/American Geosciences Institute peer review meeting for PCB modeling; meeting with municipalities; updates. Phone (David Allen, Joan Goldfarb) contracting; meeting with municipalities; Mark Velleux updates; Fox River Group/American Geosciences Institute peer review meeting on PCB modeling. Phone (David Allen, Judy Jacobs) interview about record of decision schedule, remedial investigation/feasibility study, and natural resource damage assessment for Fox River and Green Bay.

25 Jan 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: DNR responded negatively to his letter on cleanup levels; updates on Mark Velleux; upcoming presentations; updates. Meeting (David Allen, Janet Smith) George Boronow and restoration projects proposals. Phone (David Allen, Josh Lipton, Doug Beltman) next summit for Green Bay natural resource damage assessment. Phone (David Allen, Judy Jacobs) Jacobs: Bruce Baker said that DNR could not reach agreements with the feds on who would lead natural resource damage assessment, which is why DNR had to do their own; David Allen: very detailed history of coordination attempts and history of interaction between FWS and DNR.

27 Jan 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: Frank Lyons agreed that EPA will unilaterally add PCB cleanup level analyses of DNR continues to refuse. remedial investigation/feasibility study conference call: Fox River Group-funded peer review of risk assessment; next meeting of principals; DNR may observe Fox River Group/American Geosciences Institute peer review meeting on PCB modeling, but unsure; risk assessment chapters for remedial investigation/feasibility study and biological technical assistance group review. Meeting (David Allen, Mark Holey) updates. Meeting (David Allen, Ken Stromborg) updates.

28 Jan 2000: governmental public relations conference call. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Bruce Baker relented on inclusion of additional PCB cleanup levels; Fox River Group marketing flexible record of decision to elected officials; updates. Phone (David Allen, Doug Beltman) updates.

31 Jan 2000: phone (David Allen, Doug Beltman, David Glaser, Kirk Ziegler) preparations for Fox River Group/American Geosciences Institute peer review meeting on PCB modeling.

01 Feb 2000: Boulder, CO meeting (David Allen, Josh Lipton, Bob Rowe, Sonya Wytinck, Bill Breffle, Doug Beltman, Dave Mills) total value equivalency; restoration determination; recreational fishing damages; final restoration and compensation determination plan.

02 Feb 2000: phone (David Allen, Joan Goldfarb, Maureen Katz; Dan Beckhard) Cynthia Hirsch agreed to about 80% of changes proposed by Maureen Katz on assessment plan addendum to merge assessments.

03 Feb 2000: Fox River Group-funded American Geosciences Institute peer review meeting on PCB modeling (David Allen, Frank Horvath, Ken Stromborg, Willy Lick, John Wolff of LTI, Rick McCollack of LTI, Joe DePinto of LTI, Mark Travers, Steve Jawetz, Tony Vogel, Greg Hill, Mark Velleux, John Tracy, Roger Grimes, Jim Hahnenberg, Peggy Schneider, Maureen Katz, Dan Beckhard, Tom Nelson, Dave DeVault, Joan Goldfarb, Kirk Ziegler, David Glaser, Doug Beltman, Dennis Hultgren, Nancy Peterson, James Martin, and 8 other people) presentations to peer review panel on PCB pathway determination by David Allen, Doug Beltman, QEA, and others.

04 Feb 2000: meeting (David Allen, Ken Stromborg, Mark Holey) updates from Fox River Group/American Geosciences Institute meeting. Phone (David Allen, Roger Grimes) Fox River Group/American Geosciences Institute meeting; P.H. Glatfelter proposal. Phone (David Allen, Mark Velleux) Fox River Group/American Geosciences Institute meeting; updates. Phone (David Allen, Frank Horvath) PCB modeling; restoration; P.H. Glatfelter proposal. Phone (David Allen, George Boronow) restoration.

08 Feb 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch finally agreed to additional PCB cleanup endpoints for remedial investigation/ feasibility study; Fox River Group/American Geosciences Institute meeting; updates; Battle; EPA skeptical about utility of the next potentially responsible party meeting. Meeting (David Allen, George Boronow) restoration project option details. Meeting (David Allen, Bob Post, Bruce Muson, George Boronow, Terry Lychwick, Tom Nelson, Doug Cox) Post: Ed Lynch wants everything through Lynch, meeting still ok? Boronow: yes; remedial investigation/feasibility study and U.S. Army Corps of Engineers reconnaissance survey of Fox River.

09 Feb 2000: meeting (David Allen, Tom Nelson) restoration determination; Remedial Action Plan. Phone (David Allen, Paul Kozecki) Fox River Group-funded peer review of risk assessment. Phone

(David Allen, Jim Hahnenberg) Hahnenberg: Brenda Jones says that DNR risk assessment still does not reference northern Green Bay risk assessment; scope of work requires incorporation.

10 Feb 2000: phone (David Allen, Dan Beckhard, Maureen Katz) next scheduled meeting between EPA and potentially responsible parties may not occur because EPA will not agree to indefinite timeline for record of decision. Phone (David Allen, Mark Velleux) model evaluation and calibration nearly done; brainstorm about how to incorporate or use in remedial investigation/ feasibility study.

11 Feb 2000: phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb) next natural resource damage assessment meeting; cleanup levels for remedial investigation/feasibility study; Sheboygan and Fox River; U.S. Army Corps of Engineers survey; Mark Velleux efforts on PCB modeling; George Boronow efforts on restoration planning; de minimis settlements; next steps in natural resource damage assessment for restoration planning and determinations; Office of the Solicitor, Division of Conservation and Wildlife reorganization. Phone (David Allen, Charlie Wooley) how can FWS influence Office of the Solicitor to keep Joan Goldfarb on Green Bay natural resource damage assessment. Governmental public relations conference call. Phone (David Allen, Bill Creel) Michigan restoration opportunities relevant to Green Bay natural resource damage assessment. Phone (David Allen, Joan Goldfarb) restoration; PCB modeling; de minimis settlements. Phone (David Allen, Charlie Wooley) Wooley: Bill Hartwig anxious to move natural resource damage assessment and remedial investigation/feasibility study forward, said Keith Easton mentioned \$200 million goal (for cleanup, natural resource damage assessment, or both?); Hartwig told Frank Lyons that we started this thing and we are going to finish it, with or without EPA.

14 Feb 2000: Chicago, IL biological technical assistance group meeting: Bob Paulson: Sediment Management Unit 56/57 project has left 280 ppm PCB in the remaining surface sediments, mostly because dredging was not completed through the known deposit; Paul Putzier of ThermoRETEC Inc.: remedial investigation will incorporate northern Green Bay, PCB modeling; how to incorporate information from natural resource damage assessment into remedial investigation; time trends; Bob Paulson: DNR still has not seen fish data from FWS; David Allen: as mentioned many times previously, FWS fish data is publicly available on the web from FWS; sediment remediation, including making glass; monitoring; PCB exposure to fish; population endpoints or not.

15 Feb 2000: Chicago, IL biological technical assistance group meeting: population endpoint or not; human health risk assessment; ecological risk assessment; risk assessment for northern Green Bay; PCB models. Meeting in Twin Cities, MN (David Allen, Frank Horvath) biological technical assistance group summary; plans for tomorrow's meetings.

16 Feb 2000: Twin Cities, MN meeting (David Allen, Frank Horvath) final restoration and compensation determination plan; total value equivalency results; public relations strategy; allocation and de minimis settlements; PCB modeling; remedial investigation/feasibility study and global settlements; assessment plan addendum to merge natural resource damage assessments; natural resource damage assessment contracts; personnel for natural resource damage assessment; Office of the Solicitor, Division of Conservation and Wildlife and docket review; other natural resource

damage assessments updates; NOAA restoration paradigm and how to incorporate while consistent with DOI regulations; discussions with Charlie Wooley and Bill Hartwig.

17 Feb 2000: Twin Cities, MN meeting (David Allen, Frank Horvath) agenda and timelines for Charlie Wooley and Bill Hartwig. Meeting (David Allen, Frank Horvath, Dave Warburton) docket review. Meeting (David Allen, Frank Horvath, Charlie Wooley) meetings with potentially responsible parties; restoration project opportunities.

22 Feb 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: EPA will not delay the record of decision or make schedule indefinite, per potentially responsible party proposals and meetings; Dave Ullrich reports that last EPA meeting with potentially responsible parties was unproductive; Bill Muno says that EPA will consider potentially responsible party input but will not negotiate the record of decision schedule; Bob Paulson reported on the results of the Sediment Management Unit 56/57 project; biological technical assistance group was very productive; updates. Phone (David Allen, Mike Grimm) plans for meetings on restoration planning. Meeting (David Allen, Janet Smith) restoration planning. Phone (David Allen, Tom Nelson) restoration planning. Phone (David Allen, John Kennedy) restoration planning. Phone (David Allen, Joan Goldfarb) strategies to address the Sediment Management Unit 56/57 project, which was left unfinished; restoration planning; biological technical assistance group meeting; updates. Meeting (David Allen, Ken Stromborg) strategies to address the Sediment Management Unit 56/57 project, which was left unfinished; restoration planning; updates. Meeting (David Allen, Janet Smith) strategies to address the Sediment Management Unit 56/57 project, which was left unfinished; restoration planning; updates.

23 Feb 2000: Sturgeon Bay, WI meeting (FWS, The Nature Conservancy) detailed review of natural resource damage assessment restoration approaches, The Nature Conservancy restoration approaches, and how to ensure sufficient and appropriate input into the natural resource damage assessment process. Phone (David Allen, Greg Hill) Hill: DNR needs documentation for next steps on natural resource damage assessment coordination. Phone (David Allen, Sharon Shutler of NOAA) Hudson River natural resource damage assessment and Green Bay natural resource damage assessment. Meeting (David Allen, Mark Holey) restoration planning. Meeting (David Allen, Tom Nelson) restoration planning. Phone (David Allen, Doug Beltman) restoration planning; remedial investigation/feasibility study; natural resource damage assessment fish data; Green Bay Mass Balance Study data. Phone (David Allen, George Boronow) restoration planning. remedial investigation/feasibility study conference call: fish data; Greg Hill: natural resource damage assessment coordination. Phone (David Allen, Frank Horvath) DNR coordination. Phone (David Allen, Mark Velleux) PCB models are up and running; strategies; updates.

24 Feb 2000: phone (David Allen, Greg Hill, Cynthia Hirsch) natural resource damage assessment coordination. Phone (David Allen, Jim Hahnenberg) unilateral order by EPA as strategy for finishing Sediment Management Unit 56/57 project.

25 Feb 2000: meeting (David Allen, Janet Smith) Cat Island chain restoration project opportunity. Phone (David Allen, Bruce Johnson) detailed conversation about using Fox-Wolf 2000 modeling as

input to restoration analysis for natural resource damage assessment. Phone (David Allen, Dave Mills) restoration planning updates. Phone (David Allen, Bob Rowe) final restoration and compensation determination plan; recreational fishing damages; de minimis settlement; schedule. Phone (David Allen, John Kennedy) restoration planning.

28 Feb 2000: phone (David Allen, Dave Mills, Doug Beltman) detailed strategy and assignments for restoration planning contacts and information gathering; Science and Technical Advisory Committee review of restoration planning and results; Sediment Management Unit 56/57 strategies. Phone (David Allen, Frank Horvath) updates.

29 Feb 2000: phone (David Allen, Sharon Shutler of NOAA) long, detailed conversation about public process, restoration planning, economics and equivalency, history of Fox River natural resource damage assessment, tree swallow field studies, PCB fate and transport, Hagler Bailly. Meeting (David Allen, Ken Stromborg) detailed updates; Science and Technical Advisory Committee and restoration review; habitat equivalency analysis/resource equivalency analysis for birds; FWS program discussion; restoration planning; Hector Galbraith forming his own company. Phone (David Allen, Jim Hahnenberg) Fox River Group-funded peer review of risk assessment, DNR may not participate; Sediment Management Unit 56/57 strategies; Greg Hill sending letter to Fox River Group about DNR disappointment that Fox River Group did not complete Sediment Management Unit 56/57 project; risk assessment; restoration planning; deadlines or not for record of decision; updates.

01 Mar 2000: phone (David Allen, Joan Goldfarb) Goldfarb: Greg Hill briefing the Gov on the assessment plan addendum to merge natural resource damage assessments; Sediment Management Unit 56/57 unfinished, and DNR reaction; Fox River Coalition arguments on PCB modeling; next Green Bay natural resource damage assessment summit. Meeting (David Allen, Janet Smith) Cat Island chain restoration. Phone (David Allen, Frank Horvath) assessment plan addendum to merge natural resource damage assessments. Phone (David Allen, Roger Grimes) strategies to address incomplete Sediment Management Unit 56/57 project.

02 Mar 2000: phone (David Allen, Sharon Shutler of NOAA and Carol Ann Manning of NOAA) natural resource damage assessment injury and injury arguments; possible Green Bay natural resource damage assessment presentation to NOAA Damage Assessment Center; Mark Barash of Office of the Solicitor and economics. Phone (David Allen, Brian Duffy of Green Bay Packaging) many questions about remedial investigation/feasibility study, natural resource damage assessment, allocation. Phone (David Allen, Dave Mills, Doug Beltman) restoration planning. Phone (David Allen, Joan Goldfarb) Science and Technical Advisory Committee and Federal Advisory Committee Act; Mary Morton of DOI, Office of the Solicitor, Division of Conservation and Wildlife wants David Allen to work on next revision of federal natural resource damage assessment regulations. Phone (David Allen, Frank Horvath) NOAA and Hudson River; natural resource damage assessment regulation revisions. Meeting (David Allen, Ken Stromborg) natural resource damage assessment injury arguments and strategies. Phone (David Allen, Joan Goldfarb) practical methods to work with Science and Technical Advisory Committee without needing to invoke Federal Advisory Committee Act; how to use Federal Advisory Committee Act if it becomes necessary.

03 Mar 2000: Science and Technical Advisory Committee meeting: David Allen presentation on restoration phase of natural resource damage assessment, equivalency, initial restoration and compensation determination plan, restoration costs, restoration priorities, technical inputs on costs and scale, input on priorities, how Federal Advisory Committee Act works and what would require its use, Sediment Management Unit 56/57 incomplete project, assessment plan addendum to merge natural resource damage assessments, MI co-trusteeship for Green Bay. Meeting (David Allen, John Kennedy, Paul Sager, Bud Harris, Val Klump, Vicky Harris) restoration planning. Phone (David Allen, Doug Beltman) updates on Science and Technical Advisory Committee meeting. Phone (David Allen, Joan Goldfarb) DNR press release on Sediment Management Unit 56/57 project; letter from David Mandelbaum recommending capping instead of dredging; recommendations to Roger Grimes for emergency unilateral order to complete Sediment Management Unit 56/57; DOJ nervous about unilateral order if so large that it triggers litigation; DOI could use unilateral order authority also; Green Bay Packaging. Phone (David Allen, David Rosenburger) DOI revisions to natural resource damage assessment regulations.

06 Mar 2000: Twin Cities, MN Green Bay natural resource damage assessment Summit VII: Sheboygan River presentation (Dave DeVault); Bob Rowe by phone: recreational fishing damages, total value equivalency, final restoration and compensation determination plan, how to combine damage categories, habitat equivalency analysis/resource equivalency analysis.

07 Mar 2000: Twin Cities, MN Green Bay natural resource damage assessment Summit VII: John Carlucci by phone; final restoration and compensation determination plan strategies and schedule; complete matrix of restoration project opportunities; total value equivalency appendix and schedule; schedule for drafts of all elements; schedule for final restoration and compensation determination plan (September 29, 2000, with Federal Register notice by October 16, 2000). Briefing for Bill Hartwig; David Allen presentation on restoration and compensation determination plan elements and schedule; briefing for Bruce Babbitt in May; briefing by Charlie Wooley for Gary Frazier. Phone (David Allen, John Carlucci) Carlucci will have some limited involvement on Green Bay natural resource damage assessment.

08 Mar 2000: meeting (David Allen, Janet Smith) updates. Phone (David Allen, Jim Hahnenberg) Hahnenberg: EPA had meeting and is leaning towards unilateral order for Sediment Management Unit 56/57, but want to talk more with DOJ; Bill Muno was initially leaning towards capping, Frank Lyons was initially leaning towards voluntary, but both were persuaded that unilateral order and dredging may be necessary; Jim Hahnenberg will talk to Maureen Katz about the potential order; David Allen will talk to Charlie Wooley about calling Dave Ullrich about the potential order; Hahnenberg will send David Allen the DNR spreadsheet with detailed data from Sediment Management Unit 56/57. Phone (David Allen, Charlie Wooley) David Allen: call Dave Ullrich about Sediment Management Unit 56/57 order. Phone (David Allen, Maureen Katz) David Allen: talk to Jim Hahnenberg about the Sediment Management Unit 56/57 order; David Allen: evaluation of risk from incomplete Sediment Management Unit 56/57 makes litigation a realistic possibility whether or not an order is issued, an order puts litigation on better terms for EPA and DOJ; DOJ will probably

meet with EPA about Sediment Management Unit 56/57. Phone (David Allen, Frank Horvath, Charlie Wooley) Wooley will call Dave Ullrich about Sediment Management Unit 56/57; MI meetings about restoration planning; meeting with DNR about Sheboygan. Phone (David Allen, Joan Goldfarb) Sediment Management Unit 56/57 order. Phone (David Allen, Sharon Shutler) meeting needed on Hudson River and Fox River natural resource damage assessments. Phone (David Allen, Frank Horvath) Frank Horvath: Charlie Wooley left two messages for Dave Ullrich on Sediment Management Unit 56/57; Frank Horvath and Charlie Wooley briefed Bill Hartwig about potential DOI action on Sediment Management Unit 56/57, Hartwig will call Dave Ullrich and Frank Lyons directly. Phone (David Allen, Dave Mills, Doug Beltman) restoration planning.

09 Mar 2000: meeting (David Allen, Ken Stromborg) Sheboygan natural resource damage assessment; updates. Phone (David Allen, Doug Beltman) Sediment Management Unit 56/57 data. Phone (David Allen, Rachel Erdman of Inside EPA?) Sediment Management Unit 56/57: David Allen: data show that dredging was effective but only if completed, but situation is now much worse than before the project because it was not completed. Phone (David Allen, Mark Barash of DOI Office of the Solicitor) economics, Hudson River, Hagler Bailly.

10 Mar 2000: phone (David Allen, Joan Goldfarb) detailed discussion of Sediment Management Unit 56/57 strategy. Governmental public relations conference call. Phone (David Allen, Matt Richmond) Sediment Management Unit 56/57 strategy; Matt Richmond had extensive conversation with Maureen Katz; Matt Richmond will attend next DOJ meeting on Sediment Management Unit 56/57.

13 Mar 2000: phone (David Allen, Jim Hahnenberg) unilateral order likely for exposed part of Sediment Management Unit 56/57, rather than dredge until find clean sediment (which would probably be the whole lower 7-mile deposit).

14 Mar 2000: meeting (David Allen, Ken Stromborg) Sediment Management Unit 56/57, Ken Stromborg will raise with Science and Technical Advisory Committee. Phone (David Allen, Joan Goldfarb) Sediment Management Unit 56/57; assessment plan addendum. Phone (David Allen, Jim Hahnenberg) discussion with Jim Maya about capping effectiveness. Science and Technical Advisory Committee meeting: Janet Smith: Cat Island chain restoration; David Allen: natural resource damage assessment restoration planning; Sediment Management Unit 56/57. Phone (David Allen, Roger Grimes) Science and Technical Advisory Committee meeting; unilateral order for Sediment Management Unit 56/57. Phone (David Allen, Tom Nelson) Science and Technical Advisory Committee meeting; Sediment Management Unit 56/57, Oneida Tribe of Indians of Wisconsin support for unilateral order. Phone (David Allen, Frank Horvath) Science and Technical Advisory Committee meeting; unilateral order for Sediment Management Unit 56/57.

15 Mar 2000: Chicago, IL meeting (David Allen, Frank Horvath, Matt Richmond, Greg Hill, Jim Hahnenberg, Milt Clark, Brenda Jones, Bri Bill, Tom Nelson, Peggy Schneider, Ben Fisherow, Maureen Katz, Doug Dixon, Roger Grimes, Joan Goldfarb, Charlie Wooley, Tom Loretzen by phone, Larry Zaragosa, Ernie Watkins, Rollie Wilson, Todd Goeks, Bill Muno) Sediment Management Unit 56/57: Greg Hill: presentation of history of project and current condition, Fox River Coalition

prioritization via fuzzy set theory, 2-5 ppm PCB at surface at beginning, >700 ppm at depth, 1,325 pounds PCB removed of total estimated 3,500-3,000 pounds PCB, Fox River Coalition disbanded when remedial investigation/feasibility study started, goal as to remove as much PCB as \$7 million would allow, Fort Howard added \$2 million, potentially responsible parties argued that PCB concentrations would be higher after dredging; discussion: dredging to depth makes no sense, should dredge to clay of to clean, sloughing from edge of hole obvious problem from beginning, fixing the problem might require dredging the entire Operable Unit, must make situation better, not worse, high flows in spring could be disastrous for Bay; DNR focus is mass PCB mass removal, everybody else focused on risk reduction; unilateral order versus order on consent; potentially responsible parties want to cap; Fisherow: potentially responsible parties could raise WI liability in court for role in project; David Allen to Hill: will DNR oppose EPA order? Hill: George Meyer wants potentially responsible parties to have a chance to respond to an order voluntarily; Grimes: FWS order? David Allen: Bill Hartwig is willing to sign FWS order; Goldfarb: may require EPA concurrence or lead; Wooley: technical assistance regardless; Matt Richmond: need to use federal contractors moving forward; next steps: DNR cost estimates for capping and second dredging pass with contoured slopes at edge, EPA Region 5 template for order for EPA headquarters review, research on joint orders with FWS; Hill: can potentially responsible parties use order to delay remedial investigation/feasibility study, can potentially responsible parties be given credit for liability? Meeting (David Allen, Joan Goldfarb) next steps on Sediment Management Unit 56/57.

16 Mar 2000: meeting (David Allen, Ken Stromborg) updates from Sediment Management Unit 56/57 meeting. Phone (David Allen, Ken Stromborg, Doug Beltman) restoration planning. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Dave Ullrich and Frank Lyons say EPA headquarters money is available for Sediment Management Unit 56/57 emergency, unilateral order by April 15, no negotiations; Bill Munro still thinks capping is possible. Phone (David Allen, Frank Horvath, Matt Richmond, Joan Goldfarb, Doug Beltman) unilateral order for Sediment Management Unit 56/57.

17 Mar 2000: governmental public relations conference call. Phone (David Allen, Bob Rowe, Joan Goldfarb) de minimis settlement; recreational fishing damages; habitat equivalency analysis; assessment costs.

21 Mar 2000: meeting (David Allen, George Boronow, Terry Lychwick, Tom Badea, Dick Nickola, Terry Garden, Jeff Pagels, Tom Mella, David Mills) restoration planning details. Phone (David Allen, Milt Clark) media blitz by Fox River Group. Phone (David Allen, Jim Hahnenberg) Fox River Group media blitz. Phone (David Allen, Joan Goldfarb) Goldfarb: Sharon Shutler of NOAA very complimentary of Green Bay natural resource damage assessment.

22 Mar 2000: phone (David Allen, Joan Goldfarb) de minimis settlement; letter to Science and Technical Advisory Committee RE restoration planning. Meeting (David Allen, Janet Smith) DNR meeting on restoration planning; Sheboygan. Phone (David Allen, Ed Lynch) monitoring plans. Draft letter from Bill Hartwig to Frank Lyons regarding the urgent need for unilateral, potentially joint unilateral order for Sediment Management Unit 56/57. Meeting (David Allen, Ken Stromborg) updates; draft letter from Hartwig to Lyons RE Sediment Management Unit 56/57 emergency. Phone

(David Allen, Matt Richmond) draft letter from Hartwig to Lyons RE Sediment Management Unit 56/57 emergency.

23 Mar 2000: draft letter from Bill Hartwig to Frank Lyons RE Sediment Management Unit 56/57 emergency. Phone (David Allen, Jim Hahnenberg) updates; how to avoid delays in launching Sediment Management Unit 56/57 emergency orders. Phone (David Allen, Matt Richmond) how to avoid delays in launching Sediment Management Unit 56/57 emergency orders; Matt Richmond will call Roger Grimes. Phone (David Allen, Charlie Wooley) Wooley: Bruce Baker is meeting with Al Toma to discuss Fort Howard completing Sediment Management Unit 56/57 in exchange for liability release on natural resource damage assessment. Phone (David Allen, Frank Horvath) how to prevent DNR and Bruce Baker from short-circuiting natural resource damage assessment negotiations and Sediment Management Unit 56/57 order. Phone (David Allen, Jim Hahnenberg) Hahnenberg: EPA may release dredging video to press to counteract Fox River Group propaganda on problems with dredging. Phone (David Allen, Joan Goldfarb) Goldfarb: Roger Grimes reports that Bruce Baker proposed a deal to Fox River Group in lieu of order, but deal was rejected. Phone (David Allen, Matt Richmond) updates on Bruce Baker efforts to short circuit natural resource damage assessment negotiations and unilateral order. Phone (David Allen, Joan Goldfarb) Bruce Baker and DNR. Phone (David Allen, Doug Beltman) Bruce Baker and DNR. Meeting (David Allen, Ken Stromborg) Bruce Baker and DNR. Phone (David Allen, Roger Grimes) Grimes: Dave Ullrich and Bruce Baker spoke; Bruce Baker and Al Them are meeting tomorrow; Bruce Baker claims he will not cut a deal without consulting with the governmental partners; David Allen: federal schedule, deadline, and enforceability, and oversight are the key to any progress towards risk reduction at Sediment Management Unit 56/57, even if no unilateral order, Sediment Management Unit 56/57 is increasing natural resource damages by increasing widespread release of PCBs, FWS/DOI will not give covenant not to sue for natural resource damage assessment in exchange for fixing the botched Sediment Management Unit 56/57 project.

24 Mar 2000: phone (David Allen, Charlie Wooley) Wooley talked to Dave Ullrich about Sediment Management Unit 56/57, Bruce Baker, and DNR. Phone (David Allen, Frank Horvath, Charlie Wooley) Greg Hill called about Sediment Management Unit 56/57; Wooley and Dave Ullrich each left messages for Bruce Baker; Ullrich is hopeful about Fort Howard completing Sediment Management Unit 56/57; Wooley said FWS/DOI will not give assurances on natural resource damage assessment in exchange for fixing Sediment Management Unit 56/57 emergency; David Allen: no good reasons to believe that DNR will effectively control the potentially responsible parties, nor that EPA will effectively control DNR without continued direct and effective pressure from FWS. Phone (David Allen message for Greg Hill) Cat Island chain restoration. Governmental public relations conference call: Greg Swanson: DNR is negotiating with Fort Howard RE Sediment Management Unit 56/57. Phone (David Allen, Joan Goldfarb) Sediment Management Unit 56/57 and natural resource damage assessment negotiation by DNR. Phone (David Allen, Jim Hahnenberg) dredging video for public relations; DNR negotiations with Fort Howard; unilateral order for Sediment Management Unit 56/57. Phone (David Allen, Josh Lipton) restoration planning; programs for water quality, programs for habitat, programs for recreational opportunities, programs to short on PCB injuries; Hudson River. Phone (David Allen, Frank Horvath) letter from Bill Hartwig to Frank Lyons

RE Sediment Management Unit 56/57. Phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb) letter from Bill Hartwig to Frank Lyons on Monday RE Sediment Management Unit 56/57. Phone (David Allen, Greg Hill) Hill: George Meyer signed letter endorsing the assessment plan addendum to merge natural resource damage assessments. Phone (David Allen, Emily Green) Sediment Management Unit 56/57 emergency.

27 Mar 2000: letter from Bill Hartwig to Frank Lyons RE Sediment Management Unit 56/57 emergency. Phone (David Allen, Emily Green) next public meetings. Phone (David Allen, Frank Horvath) Frank Horvath: Greg Hill said that Fort Howard wants to start on Sediment Management Unit 56/57, need call between Charlie Wooley, Bruce Baker, and Dave Ullrich.

28 Mar 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: Bruce Baker, Dave Ullrich, and Charlie Wooley talked, proposals forthcoming including WI release for natural resource damage assessment liability; Fox River Group executive committee rejected Fort Howard proposal; Fort Howard moving forward unilaterally; Fort Howard wants natural resource damage assessment credit and then cash out remaining natural resource damage assessment liability; Bill Muno prefers voluntary order; Fort Howard wants to manage the project; DNR wants Ed Lynch to be the point of contact for Sediment Management Unit 56/57 data, but EPA is insisting on direct access. Phone (David Allen, Frank Horvath) DNR meeting with Fort Howard on Friday about Sediment Management Unit 56/57. Phone (David Allen, Charlie Wooley) Wooley: Bill Hartwig wants to know more about how we came to the current Sediment Management Unit 56/57 situation.

29 Mar 2000: Lansing, MI meeting (David Allen, Frank Horvath) updates. Phone (David Allen, Frank Horvath, Charlie Wooley) Wooley talked to Greg Hill and Bruce Baker: DNR estimates \$100 million for natural resource damages, 20% allocation for Fort Howard, DNR willing to cash them out unilaterally but prefers that FWS join; Wooley will tell DNR that David Allen coming to Friday meeting; David Allen to call Greg Hill; David Allen: need explicit details on the theories for \$100 million, 20%, and link between emergency cleanup and damages; Bill Hartwig very animated by the current crisis. Meeting (David Allen, Frank Horvath, Lisa Williams, Craig Czarnicki) Sediment Management Unit 56/57 update; MI co-trusteeship on Green Bay natural resource damage assessment. Meeting (David Allen, Frank Horvath, Dennis Armbruster, Bill Creel, Lisa Williams, Kathy Cavanaugh) Green Bay natural resource damage assessment history, updates, and restoration planning; Michigan Department of Justice likely to join Green Bay natural resource damage assessment whether or not Michigan Department of Environmental Quality and Michigan Department of Natural Resources also join, and Michigan Department of Natural Resources expertise will be available. Meeting (David Allen, Frank Horvath) next steps with MI.

30 Mar 2000: phone (David Allen, Jim Hahnenberg) EPA moving forward with caged fish studies regardless of DNR reluctance; Hahnenberg, Milt Clark, and Roger Grimes are in agreement that any Sediment Management Unit 56/57 agreement must be a judicial consent decree with federal oversight, stipulated penalties 1 ppm PCB cleanup result for liability release, 10 ppm PCB for partial credit only; updates and strategies for Sediment Management Unit 56/57. Phone (David Allen, Joan Goldfarb) Goldfarb: on legal team call, DOI confirmed that will not release natural resource damage

assessment liability for Sediment Management Unit 56/57, and oppose DNR doing so. Phone (David Allen, Roger Grimes) confirmation of Jim Hahnenberg summary; Friday meeting with DNR; FWS and DNR unlikely to agree about site-side natural resource damage assessment liability and allocation. Phone (David Allen, Emily Green) Sediment Management Unit 56/57. Phone (David Allen, Greg Hill) Friday meeting will include Hill, Bruce Baker, Cynthia Hirsch, Mark Reimer, John Hanson, Rollie Wilson and Peggy Schneider. Phone (David Allen, Gary Amendola, Matt Oxsilida) allocation details; Fort Howard allocation likely higher than 20%. Phone (David Allen, Roger Grimes) allocation details. Phone (David Allen, Doug Beltman) restoration planning matrix.

31 Mar 2000: Madison, WI meeting (David Allen, Rollie Wilson, Tom Nelson, Peggy Schneider, Greg Hill, Bob Paulson, Cynthia Hirsch, John Hanson, Mark Reimer) Sediment Management Unit 56/57 background; Hill: DNR wants voluntary completion of Sediment Management Unit 56/57 rather than legal mechanism; DNR needs other governmental parties in order to move forward; Reimer: Fort Howard proposal to complete Sediment Management Unit 56/57 with natural resource damage assessment credit and natural resource damage assessment cash out, need assurances from trustees by May 2000, DNR continues as lead trustee, Fox River Group unwilling, Fort Howard only one who can finish on own, faster than Comprehensive Environmental Response, Compensation and Liability Act 106 order, so not needed; Hanson: can accomplish early restoration projects, can pay DOI assessment costs, Fort Howard prefers all trustees but willing to settle with WI only, Fort Howard has complete natural resource damage assessment consultants and ready to go. Meeting of government staff only: Grimes: cleanup side can work if Comprehensive Environmental Response, Compensation and Liability Act 106 order and federal on-scene coordinator, and remove natural resource damage assessment complication; Hill: do not need dual management of project; David Allen: three compromises are possible: 1) state/federal/tribal compromise on the value of the entire natural resource damage assessment; 2) state/federal/tribal compromise on the natural resource damage assessment value of Sediment Management Unit 56/57; 3) compromise between governments and potentially responsible party on natural resource damage assessment values. Meeting with Fort Howard included: Grimes: deal possible on remedial side with Comprehensive Environmental Response, Compensation and Liability Act 106 order; Hirsch: natural resource damage assessment negotiations may take longer than remedial; Reimer: no deal without natural resource damage assessment, even if have to deal with DNR only; Grimes: EPA will move unilaterally on remedy side if needed, regardless of timing of natural resource damage assessment negotiations; Hanson: federal skepticism has led to deals between WI and potentially responsible parties before. Phone (David Allen, Bill Hartwig) detailed summary of Sediment Management Unit 56/57 meeting; David Allen: FWS leverage comes from: 1) EPA; 2) assessment plan addendum; 3) Bruce Babbitt; 4) public engagement; David Allen: Fort Howard leverage comes from: 1) willing DNR; 2) can accomplish Sediment Management Unit 56/57 more quickly and easily than natural resource damage assessment. Science and Technical Advisory Committee letter on restoration planning.

01 Apr 2000: draft memo RE Fort Howard proposal for Sediment Management Unit 56/57.

02 Apr 2000: edit memo RE Fort Howard proposal for Sediment Management Unit 56/57.

03 Apr 2000: Washington, D.C. federal meeting on Hudson River and Green Bay natural resource damage assessment.

04 Apr 2000: Twin Cities, MN meeting (David Allen, Charlie Wooley) how to de-link the natural resource damage assessment from the emerging Sediment Management Unit 56/57 emergency cleanup; how to make Fort Howard do more, and how to give away less on natural resource damage assessment; how to rely more on Superfund response authorities and less on damage assessment for emergency cleanup; opportunities to meet Wisconsin 1/2 way?, if yes, then force Fort Howard to compromise, if no, unify Federal Government, walk away if needed, and inform the public about why. Meeting (David Allen, Frank Horvath, Charlie Wooley, Bill Hartwig) how to decouple natural resource damage assessment from emergency cleanup of Sediment Management Unit 56/57; Service unwilling to sacrifice damage assessment claim for emergency cleanup; Service willing to negotiate damage assessment claim, but we are probably at \$411 million total natural resource damage assessment and 44% allocation for Fort Howard, not \$100 million and 20%; if Wisconsin settles unilaterally, again, Service will press Department of Justice for judicial intervention. Phone (David Allen message for Maureen Katz) summary of points from meeting with Bill Hartwig. Phone (David Allen message for Roger Grimes) summary of points from meeting with Bill Hartwig. Phone (David Allen, Joan Goldfarb) summary of points from meeting with Bill Hartwig. Bullet points for briefing of Bruce Babbitt. Meeting (David Allen, Charlie Wooley) Wooley left message for Bruce Baker to decouple natural resource damage assessment from Sediment Management Unit 56/57, press for complete fix, continue to work towards joint damage assessment position. Phone (David Allen, Charlie Wooley, Joan Goldfarb) legal team call: Roger Grimes was emphatic that a EPA emergency order for Sediment Management Unit 56/57 is imminent; Cynthia Hirsch opined that punishment for Fort Howard refusal to decouple natural resource damage assessment is unilateral order from EPA; Agency unwilling to participate in damage assessment negotiations, even if that precipitates unilateral deal by Wisconsin, tell Fort Howard to decouple or face unilateral order, period; Wisconsin Department of Justice willing to start at \$411 million if that makes damage assessment negotiation possible. Conference call (governments and Fort Howard) Wisconsin and Fort Howard meeting to negotiate natural resource damage assessment without FWS. Meeting (David Allen, Charlie Wooley, Joan Goldfarb) DOI letter to DNR that Wisconsin is breaching the intergovernmental partnership memorandum of agreement and the assessment plan addendum. Phone (David Allen message for Jim Hahnenberg) FWS has conditions that they want in the unilateral order for Sediment Management Unit 56/57. Phone (David Allen message for Roger Grimes) Service dissatisfied with Wisconsin, Service charging forward with natural resource damage assessment, Service worried that Agency will avoid forcing key issues on Sediment Management Unit 56/57 in order to appease Wisconsin.

05 Apr 2000: Twin Cities, MN meeting (David Allen, Charlie Wooley) summary of letter from P.H. Glatfelter about the Intergovernmental Partnership; need FWS letter to DNR and Wisconsin Department of Justice that Sediment Management Unit 56/57 negotiations with Fort Howard are completely outside of the Intergovernmental Partnership memorandum of understanding. Meeting (David Allen, Frank Horvath) summary of meeting with Charlie Wooley. Phone (David Allen, Joan Goldfarb) letters RE Sediment Management Unit 56/57. Meeting (David Allen, Charlie Wooley) Wooley: Bruce Baker says that George Meyer is upset with FWS, wants call with Bill Hartwig, and

call between Wooley, Baker, and Dave Ullrich. Phone (David Allen message for Roger Grimes) updates on FWS calls and letters RE Sediment Management Unit 56/57. Fax FWS to EPA letter to P.H. Glatfelter. Meeting (David Allen, Charlie Wooley) timing of FWS letters RE Sediment Management Unit 56/57. Phone (David Allen, Maureen Katz, Joan Goldfarb) edits for FWS letters RE Sediment Management Unit 56/57. Phone (David Allen, Joan Goldfarb) Goldfarb: Roger Grimes reports that EPA is preparing to send unilateral order for Sediment Management Unit 56/57 next week.

06 Apr 2000: Twin Cities, MN DOI natural resource damage assessment docket review, presentation on Green Bay natural resource damage assessment. Green Bay, WI: meeting (David Allen, Ken Stromborg, Janet Smith, Mark Holey) updates.

07 Apr 2000: Science and Technical Advisory Committee meeting: Sediment Management Unit 56/57; natural resource damage assessment restoration planning. Meeting (David Allen, Mark Holey) updates. Send information to John Kennedy for Science and Technical Advisory Committee letter about Sediment Management Unit 56/57. Phone (David Allen, Charlie Wooley) Wooley pleased with FWS efforts on Sediment Management Unit 56/57 last week. Phone (David Allen, Frank Horvath) Bill Hartwig talked with George Meyer, Hartwig will hold letter until next week but will send unless Intergovernmental Partnership succeeds with a joint letter by then, DOI will formally object to any attempt to link natural resource damage assessment to Sediment Management Unit 56/57 emergency action, no more natural resource damage assessment discussions until dredging at Sediment Management Unit 56/57 begins, DOI independent order authority if necessary; Bruce Baker very upset with Charlie Wooley for divulging information outside of Intergovernmental Partnership about Sediment Management Unit 56/57. Phone (David Allen, Roger Grimes) updates.

10 Apr 2000: phone (David Allen, Jim Hahnenberg) Roger Grimes reports that Dave Ullrich heard from Bruce Baker that DNR has no position yet on monitoring or performance standards; Hahnenberg will send to David Allen draft letter EPA to DNR. Phone (David Allen, Josh Lipton) Sediment Management Unit 56/57 updates; Hudson River updates. Phone (David Allen, Charlie Wooley) updates.

11 Apr 2000: Bailey's Harbor, WI meeting (David Allen, Guinevere Abernathy, Becky Abel of The Nature Conservancy, Jordi ? of The Nature Conservancy, Mark Martin of DNR, Paul Schumacher of Clark Lake, Eric Epstein of DNR, Randy Hoffman of DNR, Bill Smith of DNR, Jody Milsky of The Nature Conservancy, Ann Swenson of The Nature Conservancy, Jean Burbock of DNR, Lisa Van Lanen of The Nature Conservancy, Paul Rezmier of Ridges Sanctuary, Mike Stefvater of The Nature Conservancy/University of Wisconsin at Green Bay, Thomas Meyer of DNR, Betty Parsons of State Trustees, Joel Trick, Mike Grimm) detailed analysis of The Nature Conservancy ecological biodiversity planning process; detailed analysis of DNR inventory of rare species; Ridges Sanctuary focus areas; DNR state natural areas; FWS, Endangered Species Act analyses; how to incorporate all of these processes in a meaningful and substantive way in the Green Bay natural resource damage assessment restoration planning, determination, and scaling processes; analysis of Door Peninsula opportunities for restoration. Phone (David Allen, Mark Holey) fish restoration opportunities for

Door Peninsula. Phone (David Allen, Jim Hahnenberg) Sediment Management Unit 56/57 updates. Phone (David Allen, Maureen Katz) Katz talking to Cynthia Hirsch today about Sediment Management Unit 56/57. Phone (David Allen message for Greg Hill) FWS will not attend next meeting on Sediment Management Unit 56/57 unless Wisconsin reverses damage assessment link via Bruce Baker call to Charlie Wooley. Phone (David Allen, Jill Gescheidle) Frank Horvath on phone with Charlie Wooley, Joan Goldfarb, Maureen Katz, working on letter to Wisconsin, no Service participation in Wisconsin /Fort Howard negotiations for Sediment Management Unit 56/57 unless and until damage assessment removed from the discussions.

12 Apr 2000: Bailey's Harbor, WI meeting (David Allen, The Nature Conservancy, DNR) continuation of detailed meeting on restoration planning inputs. Phone (David Allen, Joan Goldfarb) draft unilateral order from EPA for Sediment Management Unit 56/57. Phone (David Allen, Frank Horvath) many conversations, draft agendas, draft letters RE Sediment Management Unit 56/57; updates.

13 Apr 2000: Bailey's Harbor, WI (David Allen, The Nature Conservancy, DNR) continuation of detailed meeting on restoration planning inputs. Phone (David Allen, Joan Goldfarb) more drafts, emails, discussions about Sediment Management Unit 56/57; updates. Phone (David Allen, Mark Velleux) PCB model calibration; PCB model run details. Phone (David Allen, Frank Horvath) Bill Hartwig wants two alternative letters to DNR lady by noon today RE Sediment Management Unit 56/57. Phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb, Maureen Katz) Bill Hartwig decided to use David Allen letter to David Mandelbaum with revisions to offer olive branch to DNR, Intergovernmental Partnership discussions on natural resource damage assessment needed before natural resource damage assessment discussions between potentially responsible parties and Intergovernmental Partnership; plan of action for calls and finalization. Phone (David Allen, Frank Horvath) Frank Horvath: Bill Hartwig is very animated about the Sediment Management Unit 56/57 issue. Phone (David Allen, Doug Beltman) updates on The Nature Conservancy, DNR meeting on restoration planning; remedial investigation/feasibility study peer review on risk assessment.

14 Apr 2000: Bailey's Harbor, WI (David Allen, The Nature Conservancy, DNR) continuation of detailed meeting on restoration planning inputs. Phone (David Allen, Frank Horvath) Frank Horvath pleased with FWS efforts on Sediment Management Unit 56/57. Phone (David Allen, Doug Beltman) updates on The Nature Conservancy, DNR meeting on restoration planning; risk assessment peer review; Science and Technical Advisory Committee; Sediment Management Unit 56/57.

19 Apr 2000: phone (David Allen, Charlie Wooley) meeting with DNR only discussed natural resource damage assessment, no Sediment Management Unit 56/57, went well; David Mandelbaum upset with FWS letter; updates from Maureen Katz; Wooley talked with Dave Ullrich. Phone (David Allen, Joan Goldfarb) meeting with DNR only discussed natural resource damage assessment; John Hanson upset about FWS disclosure of information in letter to Mandelbaum. Phone (David Allen, Jim Hahnenberg) updates; briefings for WI federal delegation; American Geosciences Institute peer review says all PCB models still need work; EPA working on order for Sediment Management Unit 56/57; EPA letter to DNR today; Bruce Baker told federal delegations about settlement discussions,

bad faith; EPA moving forward with caged fish studies, will tell DNR next week; Bruce Baker said Governor Thompson was to meet with Fox River Group today, but health delay; Fox River Group capping proposal. David Allen email to Greg Swanson: remove Sediment Management Unit 56/57 discussion from proposed article on Deposit N in Fox River Current, and inform Frank Horvath, Charlie Wooley, Bri Bill, Joan Goldfarb, Maureen Katz, Jim Hahnenberg, Sue Pastor. Phone (David Allen, Judy Jacobs) interview for article.

20 Apr 2000: phone (David Allen, Susan Campbell) Science and Technical Advisory Committee and restoration planning. Emails with Greg Swanson RE Deposit N article for Fox River Current. Review of Fox River Group/American Geosciences Institute peer review of PCB models. Phone (David Allen, Doug Cox) Cox will send email to DNR about Deposit N story. Phone (David Allen, Maureen Katz) updates. Phone (David Allen, Rachel Erdman) story background. Phone (David Allen, Mark Velleux) PCB modeling progress; American Geosciences Institute peer review.

21 Apr 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg briefed Bill Muno, EPA have Sediment Management Unit 56/57 maps not from DNR that show larger area of disturbance, EPA prepared to act unilaterally if required. Governmental public relations conference call.

24 Apr 2000: Milwaukee, WI meeting (David Allen, Gary Amendola, Matt Oxsilida, Maureen Katz, Joan Goldfarb, Roger Grimes, Peggy Schneider, Tom Nelson, Mark Velleux, Jim Witthune, Cynthia Hirsch, Sherri Eggelson, Rollie Wilson) Gary Amendola details on allocation; detailed questions on allocation from Mark Velleux; next steps for allocation.

25 Apr 2000: phone (David Allen, Rebecca Renner) story on Green Bay natural resource damage assessment. Phone (David Allen, Rachael Erdman) corrections for story. Phone (David Allen, George Boronow) invitation to restoration planning meeting. Phone (David Allen, Vince Mosca) restoration planning contacts. Phone (David Allen, Barbara Callahan of Agriculture and Environmental Health of Soils) Fox River Group-funded peer review of risk assessment by Agriculture and Environmental Health of Soils. Phone (David Allen, Jim Hahnenberg) Fox River Group/Agriculture and Environmental Health of Soils peer review of risk assessment; Sediment Management Unit 56/57 updates; Bob Paulson says that caged fish study is not needed; Fort Howard wants complete release for reaching 10 ppm PCB, and still talking with Wisconsin about natural resource damage assessment; David Allen and Hahnenberg will alert management that damage assessment deal between Wisconsin and Fort Howard may still be in the works despite Wisconsin assurances to contrary.

26 Apr 2000: phone (David Allen, Frank Horvath, Charlie Wooley) FWS letter went to DNR; letter from Bruce Babbitt soon. Meeting (David Allen, Vince Mosca, Joel Trick, Gary Fewles) restoration planning details. Phone (David Allen, Jim Hahnenberg) caged fish study discussions.

27 Apr 2000: phone (David Allen, Joan Goldfarb) updates on DNR meetings. Phone (David Allen, Frank Horvath) DNR meetings; briefing for Bruce Babbitt.

28 Apr 2000: governmental public relations conference call. Phone (David Allen, Charlie Wooley) DNR calls and meetings.

02 May 2000: phone (David Allen, Joan Goldfarb) DNR calls and meetings; natural resource damage assessment economics meetings soon between FWS and DNR. Phone (David Allen, Tim Schmidt) restoration planning details. Phone (David Allen, Jim Hahnenberg) Hahnenberg: EPA Region 5 mid-level managers oppose Sediment Management Unit 56/57 order, but staff and senior managers appear to remain supportive. Phone (David Allen, Steve Ritter) restoration planning details. Phone (David Allen, Mark Velleux) PCB model updates and model runs. Phone (David Allen, Bri Bill) Bill: Greg Swanson pushing back on edits to Deposit N article. Phone (David Allen, Ken Stromborg, Brenda Jones, Mark Huston) caged fish studies.

03 May 2000: phone (David Allen, Jim Hahnenberg) Fort Howard has moved closer to EPA RE Sediment Management Unit 56/57, administrative order on consent possible. Phone (David Allen, Phil Saunders of FWS) restoration planning details. Phone (David Allen, Steve Ritter) restoration planning details. Phone (David Allen, Charlie Wooley, Joan Goldfarb, Maureen Katz) Wooley: Bruce Baker thinks FWS is setting up an administrative record for court rather than trying to settle, maybe Wisconsin could buy in more if FWS spent a couple of days going over natural resource damage assessment economics, George Meyer wants Wisconsin to consider all settlement proposals, including from Fort Howard; Katz: Cynthia Hirsch says that DNR is just listening to Fort Howard, not making a deal. Phone (David Allen, Doug Beltman) Sediment Management Unit 56/57 updates; DNR meetings and calls; restoration planning and restoration modeling details.

04 May 2000: Madison, WI: David Allen presentation on top 10 natural resource damage assessment arguments typically made by potentially responsible parties at the NY/WI PCB conference by Wisconsin Department of Justice. Meeting (David Allen, Greg Hill, Bri Bill) assessment plan addendum to merge assessments is close. Meeting (David Allen, Bri Bill) Bill forced Greg Swanson to compromise on Fox River Current story.

05 May 2000: phone (David Allen, Jim Hahnenberg) updates. Science and Technical Advisory Committee meeting: discussion of FWS letter to Science and Technical Advisory Committee RE restoration planning. Phone (David Allen, Charlie Wooley) Wooley talked to Gary Frasier, natural resource damage assessment is double-barrel shotgun, but only one barrel is loaded, need to load both barrels before moving forward with settlements or litigation. Phone (David Allen, John Carlucci) natural resource damage assessment regulation revisions. Phone (David Allen, Frank Horvath) updates. Phone (David Allen, Maureen Katz) Greg Hill and DNR coordination. Phone (David Allen, Mark Velleux) allocate details. Phone (David Allen, Susan Campbell) FWS and DNR coordination on natural resource damage assessment.

09 May 2000: phone (David Allen, Jim Hahnenberg) administrative order on consent for Sediment Management Unit 56/57 details; quotes from David Allen and Dave Ullrich in newspaper article. Phone (David Allen, Joan Goldfarb) Sediment Management Unit 56/57; Frank Horvath and John Carlucci; Wisconsin Department of Justice PCB conference last week. Phone (David Allen, Doug

Beltman) restoration planning, scaling, and modeling details; Science and Technical Advisory Committee; Menominee Indian Tribe of Wisconsin; Wisconsin Department of Justice PCB conference last week. Phone (David Allen, Kirk Ziegler) Ziegler nervous about meeting with Mark Velleux. Phone (David Allen, Dan Beckhard) next natural resource damage assessment coordination meeting with DNR. Phone (David Allen message for Greg Hill) next natural resource damage assessment coordination meeting.

10 May 2000: phone (David Allen, Joan Goldfarb) Green Bay visit by Bruce Babbitt is off; EPA meetings on Sediment Management Unit 56/57 administrative order on consent.

11 May 2000: phone (David Allen, Maureen Katz) 2-day natural resource damage assessment coordination meeting with DNR. Phone (David Allen, Greg Hill) next natural resource damage assessment coordination meeting: principals on day 1; economists on day 2. Phone (David Allen, Charlie Wooley, Joan Goldfarb) Wooley talked with Dave Ullrich: Appleton Papers Inc. wants a deal for cleanup and restoration over 7 years. Phone (David Allen, Maureen Katz, Joan Goldfarb) Roger Grimes reports that Appleton Papers Inc. wants 7-year deal with \$10 million per year directly towards their contribution on Superfund liability. Phone (David Allen, Jim Hahnenberg) Appleton Papers Inc. proposal, Bruce Baker opined that natural resource damage assessment will be very small part of any deal with Appleton Papers Inc.; administrative order on consent for Sediment Management Unit 56/57 going well. Phone (David Allen, Jim Hahnenberg) David Allen comments on Sediment Management Unit 56/57 administrative order on consent.

12 May 2000: PCB modeling conference call. Phone (David Allen, Doug Beltman) PCB modeling; Science and Technical Advisory Committee; assessment plan addendum. Phone (David Allen, Mark Velleux) PCB modeling details.

15 May 2000: phone (David Allen, Doug Beltman) FWS comments on remedial investigation.

16 May 2000: Neenah, WI meeting: Fox River Group/Agriculture and Environmental Health of Soils peer review of risk assessment. Meeting (David Allen, Ed Culhane) Culhane questions about global settlement discussions; Greg Hill quotes; Fox River Group letter on capping; FWS letter on natural resource damage assessment. Meeting (David Allen, Jim Hahnenberg, Ed Lynch) PCB modeling and the remedial investigation/feasibility study. David Allen presentation to Agriculture and Environmental Health of Soils: Agriculture and Environmental Health of Soils has opportunity to advise Intergovernmental Partnership on how to incorporate valid ideas from Fox River Group in risk assessment, however, Agriculture and Environmental Health of Soils advice on how to improve Fox River Group document is not relevant or worthwhile, current remedial investigation/feasibility study is already very different than the remedial investigation/feasibility study draft reviewed by Agriculture and Environmental Health of Soils.

17 May 2000: phone (David Allen, Tom Nelson) remedial investigation review. Phone (David Allen, Jim Hahnenberg) Fox River Group/Agriculture and Environmental Health of Soils peer review meeting; remedial investigation; meetings. Phone (David Allen, Frank Horvath) Fox River

Group/Agriculture and Environmental Health of Soils peer review meeting; Appleton Papers Inc. offer; assessment plan addendum to merge assessments.

18 May 2000: phone (David Allen, Doug Beltman) remedial investigation; Fox River Group/Agriculture and Environmental Health of Soils peer review meeting; Science and Technical Advisory Committee; assessment plan addendum to merge assessments. Phone (David Allen, Jim Hahnenberg) press conference on Sediment Management Unit 56/57 administrative order on consent. Phone (David Allen, Frank Horvath, Bill Hartwig) Appleton Papers Inc. offer; David Allen: press George Meyer about whether DNR is negotiating the damage assessment with potentially responsible parties. Phone (David Allen, Frank Horvath) George Meyer had only 1 question: is FWS willing to negotiate with potentially responsible parties? Phone (David Allen, Sherri Eggelson, Greg Hill) next meeting on natural resource damage assessment coordination; is Wisconsin negotiating damage assessment? Fort Howard still wants it, Wisconsin still listening. Phone (David Allen, Becky Katers) remedial investigation/feasibility study schedule.

19 May 2000: governmental public relations conference call. Phone (David Allen, Doug Beltman) remedial investigation; Fox River Group/Agriculture and Environmental Health of Soils peer review of risk assessment; Science and Technical Advisory Committee; assessment plan addendum; Hagler Bailly input into FWS strategic decisions on natural resource damage assessment. Phone (David Allen, Frank Horvath) Charlie Wooley, Bruce Baker, and Dave Ullrich talked about how to proceed with negotiations with Appleton Papers Inc.. Phone (David Allen, Charlie Wooley) Appleton Papers Inc. negotiations. Phone (David Allen, Frank Horvath, Maureen Katz, Bill Hartwig) Hartwig: George Meyer agreed to de-ling natural resource damage assessment from Sediment Management Unit 56/57; allocation; natural resource damage assessment end game; visit by Bruce Babbitt. Phone (David Allen, Bob Rowe, Edward Morey) strategy for engaging DNR on natural resource damage assessment economics; Morey and Rich Bishop to meeting.

22 May 2000: phone (David Allen, Sue Pastor) Deposit N story review; resolved. Phone (David Allen, Matt Richmond) natural resource damage assessment economics meeting with DNR. Phone (David Allen, Jim Hahnenberg) administrative order on consent for Sediment Management Unit 56/57 working out, but probably insufficient dispute resolution procedure between EPA and DNR.

23 May 2000: meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Joan Goldfarb) updates; legal team call updates; DNR wants Dave Ullrich rather than Bill Muno for dispute resolutions. Phone (David Allen, Susan Campbell) updates; assessment plan addendum to merge assessments; Sediment Management Unit 56/57. Phone (David Allen, Todd Goeks) assessment plan addendum; Sediment Management Unit 56/57. Phone (David Allen, Jim Hahnenberg) Senator Feingold's office already knew about administrative order on consent, probably from Fort Howard; EPA, headquarters delayed press conference on administrative order on consent for Sediment Management Unit 56/57; Frank Lyons said no dispute mechanism in the administrative order on consent and not in the letter.

24 May 2000: phone (David Allen, Heather Potter of The Nature Conservancy) restoration opportunities. Phone (David Allen, Matt Richmond) administrative order on consent for Sediment Management Unit 56/57; de minimis settlements; Appleton Papers Inc. proposal; assessment plan addendum to merge assessments; natural resource damage assessment timing related to the election. Meeting (David Allen, Tom Nelson, Fox 11 News) interview RE assessment plan addendum to merge assessments. Phone (David Allen, Jim Hahnenberg) remedial investigation; administrative order on consent for Sediment Management Unit 56/57 likely in next day or two; DNR and Frank Lyons irritated with each other about dispute resolution for the administrative order on consent. Meeting (David Allen, Joel Trick) restoration opportunities.

25 May 2000: 3rd assessment plan addendum (federal and tribal co-trustees with DNR).

30 May 2000: phone (David Allen, Tom Nelson) remedial investigation. Phone (David Allen, Mark Velleux) PCB modeling details. Phone (David Allen, Ken Stromborg, Brenda Jones, Mark Huston) caged fish study.

31 May 2000: phone (David Allen, Frank Horvath) DNR meetings; John Giesy testimony at Montrose; updates. Phone (David Allen, Doug Beltman) remedial investigation comments; Science and Technical Advisory Committee; administrative order on consent for Sediment Management Unit 56/57. Phone (David Allen, Frank Horvath, Joan Goldfarb) administrative order on consent for Sediment Management Unit 56/57; de minimis settlements; remedial investigation; assessment plan addendum to merge assessments. Phone (David Allen, Jim Hahnenberg) remedial investigation; administrative order on consent for Sediment Management Unit 56/57, Bruce Baker upset with EPA; updates.

01 Jun 2000: phone (David Allen, Frank Horvath, Joan Goldfarb, Charlie Wooley) bound estimates for natural resource damage assessment settlement discussions; next DNR meeting focus on merging details rather than settlement positions. Phone (David Allen, Doug Beltman) caged fish study; settlement estimates; Science and Technical Advisory Committee. Phone (David Allen, Joan Goldfarb, Maureen Katz) information from Fort Howard. Phone (David Allen, Jim Hahnenberg) Science and Technical Advisory Committee; DNR upset with EPA about the administrative order on consent for Sediment Management Unit 56/57. Phone (David Allen, Maureen Katz) John Giesy testimony at Montrose.

02 Jun 2000: presentation of restoration planning and scaling to the Science and Technical Advisory Committee. Phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb) DNR coordination; Appleton Papers Inc. negotiations; de minimis settlements; settlement strategies; natural resource damage assessment economics information transfer to DNR. David Allen send natural resource damage assessment economics information to Greg Hill.

05 Jun 2000: analysis of natural resource damage assessment economics information from Triangle Economics Research Inc., funded by Fox River Group for DNR.

06 Jun 2000: phone (David Allen, Rachael Erdman) assessment plan addendum to merge assessments; administrative order on consent for Sediment Management Unit 56/57. Phone (David Allen, Rich Bishop, Edward Morey, Doug Beltman, Bill Breffle) economics information for DNR and DNR coordination meeting. Phone (David Allen, David Glaser) strategies for natural resource damage assessment and remedial investigation/feasibility study.

07 Jun 2000: phone (David Allen, Charlie Wooley) natural resource damage assessment economics coordination with DNR. Phone (David Allen, Doug Cox, Rollie Wilson) restoration projects; updates.

08 Jun 2000: Josh Lipton depositions on Coeur D'Alene. Phone (David Allen, Frank Horvath) updates; Coeur D'Alene. Phone (David Allen, Doug Beltman) Hudson River peer review.

09 Jun 2000: phone (David Allen, Mark Velleux) PCB model parameterization and Kirk Ziegler. Phone (David Allen, Joan Goldfarb) confidential business information; Appleton Papers Inc. negotiation; updates; letter to Mark Travers RE American Geosciences Institute peer review. Phone (David Allen, Richard Bishop, Edward Morey) details for presentations to DNR on economics for Green Bay natural resource damage assessment.

12 Jun 2000: Milwaukee, WI meeting (David Allen, Frank Horvath, Matt Richmond, Charlie Wooley, Joan Goldfarb, Dan Beckhard, Doug Beltman, Betsy David, Bruce Baker, Greg Hill, Bob Paulson, Gerry Hancock, Keith Easton, Doug Cox, Rollie Wilson, Tom Nelson, Peggy Schneider) Bruce Baker: 80% agreement so far, cleanup priority, but DNR does not oppose restoration; David Allen: after detailed joint review of all pathway and injury information, no technical disagreements between DNR and other trustees, so disagree with Baker's low estimate of 80% agreement so far; agreement to exchange letters to memorialize agreement on pathway and injury; Wisconsin plans no further pathway and injury work for damage assessment.

13 Jun 2000: Milwaukee, WI meeting (David Allen, Frank Horvath, Matt Richmond, Edward Morey, Rich Bishop, Dwight Duncan, Susan Steuckwich of PWC, Charlie Wooley, Joan Goldfarb, Dan Beckhard, Doug Beltman, Betsy David, Bruce Baker, Greg Hill, Gerry Hancock, Keith Easton, Doug Cox, Rollie Wilson, Tom Nelson, Peggy Schneider) detailed presentations of economics details for Green Bay natural resource damage assessment by Edward Morey and Rich Bishop; DNR caucus with Dwight Duncan and Keith Easton; Wisconsin wants follow-up meeting. Phone (David Allen, Bill Breffle, Dwight Duncan) Green Bay natural resource damage assessment raw economics data and economics model details.

14 Jun 2000: phone (David Allen, Charlie Wooley) Wooley: Dave Ullrich met with Riverside Paper RE de minimis settlement negotiations. Phone (David Allen, Joan Goldfarb) eagle data, and Montrose testimony. Phone (David Allen, Mark Velleux) PCB modeling details and next steps. Phone (David Allen, Doug Beltman) remedial investigation comments; Bill Bowerman and Montrose; Green Bay natural resource damage assessment economics information for DNR.

15 Jun 2000: PCB modeling conference call. Phone (David Allen, David Glaser) PCB modeling. Phone (David Allen, Mark Velleux) PCB modeling. Phone (David Allen, Ken Stromborg) Bill Bowerman and Montrose. Phone (David Allen, Jim Hahnenberg) PCB modeling conference call discussion; administrative order on consent for Sediment Management Unit 56/57 and Fort Howard; summary of natural resource damage assessment meeting with DNR; updates. Phone (David Allen, Doug Beltman) remedial investigation comments; DNR upset with FWS about Battelle data.

16 Jun 2000: FWS remedial investigation comments to DNR. Phone (David Allen, Jim Hahnenberg) Hahnenberg: just started reading remedial investigation, very poorly written; David Allen: agree, see FWS comments from today. Phone (David Allen, Tim Thompson) questions about PCB data. Phone (David Allen, Frank Horvath) eagle data and Montrose; negotiations with DNR on Green Bay natural resource damage assessment economics approach. Phone (David Allen, Frank Horvath, Bob Rowe) economics coordination with DNR.

19 Jun 2000: phone (David Allen, Ed Lynch) risk assessment meeting.

20 Jun 2000: phone (David Allen, Rick Greenblatt of FWS) ethics rules for governmental consulting after being a federal employee. Phone (David Allen, John Carlucci, Dan Sparks of FWS) natural resource damage assessment regulation revisions.

21 Jun 2000: phone (David Allen, Charlie Wooley) economics coordination with DNR; Wooley irritated that EPA negotiations without rest of Intergovernmental Partnership on de minimis; Appleton Papers Inc. settlement proposal moving forward, probably \$70 million over 7 years in exchange for agreement not to bring governmental suit against Appleton Papers Inc. during those 7 years; Sediment Management Unit 56/57 looks to be resolved to FWS satisfaction via EPA-led administrative order on consent. Phone (David Allen, Maureen Katz) Appleton Papers Inc. settlement proposal. Phone (David Allen, Roger Grimes) Appleton Papers Inc. settlement proposal. Phone (David Allen, Joan Goldfarb) Appleton Papers Inc. settlement proposal; updates. Phone (David Allen, Frank Horvath) Appleton Papers Inc. settlement proposal; Bill Muno was impressive.

22 Jun 2000: phone (David Allen, Frank Horvath) Sediment Management Unit 56/57; feasibility study meeting; updates. Phone (David Allen, Doug Beltman) economics coordination with DNR.

23 Jun 2000: phone (David Allen, Gary Amendola) allocation details.

26 Jun 2000: phone (David Allen, Rick Greenblatt of FWS) Hagler Bailly query about employment, David Allen said no (shut the door), ok. Meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Doug Beltman) schedule for final restoration and compensation determination plan, final task orders on contract for completion of all final restoration and compensation determination plan elements.

27 Jun 2000: phone (David Allen, Riki Mudulph of Inside Washington) interview RE natural resource damage assessment/response coordination. Phone (David Allen, Greg Hill) economics data and model

sharing (Triangle Economics Research Inc. and Hagler Bailly; David Allen: FWS experts do not view Dwight Duncan as neutral, unbiased, or particularly qualified; Hill: Lancaster Consulting has no natural resource damage assessment axe to grind. Phone (David Allen, Doug Beltman) economics coordination with Wisconsin. Phone (David Allen, Ed Lynch) risk assessment meetings. Phone (David Allen, Frank Horvath) David Allen will not consider post-FWS employment until after final restoration and compensation determination plan is completed; economics coordination with Wisconsin; funding.

28 Jun 2000: phone (David Allen, John Carlucci) natural resource damage assessment regulations revisions. Meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Bob Rowe) total value equivalency; DNR coordination meetings.

29 Jun 2000: phone (David Allen, Charlie Wooley) history of Sediment Management Unit 56/57: DNR excluded feds, DNR negotiated poorly, potentially responsible parties controlled project designed to show problems of dredging; updates. Phone (David Allen, George Boronow) restoration planning details. Phone (David Allen, Dwight Duncan) Triangle Economics Research Inc. data and model; how to build a common approach for evaluating Triangle Economics Research Inc. and Hagler Bailly data, models, and studies.

30 Jun 2000: phone (David Allen, Ed Lynch) risk assessment meetings. Meeting (David Allen, Ken Stromborg, Mark Holey) interview on Green Bay natural resource damage assessment.

Jul 2000: EPA unilateral order for Sediment Management Unit 56/57 of Lower Fox River (Fox River Group/DNR demonstration project site).

07 Jul 2000: phone (David Allen, Bob Rowe) David Allen: do not release Green Bay economics data and models to DNR until we have confidentiality assurances from DNR.

10 Jul 2000: review Steve Ritter land appraisal study for Green Bay natural resource damage assessment.

11 Jul 2000: phone (David Allen, Charlie Wooley) DNR coordination on Green Bay natural resource damage assessment economics. Phone (David Allen, Maureen Katz) Montrose natural resource damage assessment witnesses.

12 Jul 2000: phone (David Allen, Charlie Wooley) DNR coordination on Green Bay natural resource damage assessment economics. Phone (David Allen, Bill Breffle, Jeff Lazo, Edward Morey) DNR coordination on Green Bay natural resource damage assessment economics, models and data.

13 Jul 2000: Boulder, CO meeting (FWS, Hagler Bailly DNR coordination on Green Bay natural resource damage assessment economics. Meeting (FWS, Hagler Bailly, DNR, Lancaster Consulting, Keith Easton) David Allen: FWS will send materials, but Service wants a single evaluation, not dueling evaluations, insist on confidentiality with no sharing with potentially responsible parties;

Doug Beltman: final restoration and compensation determination plan overview; Edward Morey and Jeff Lazo: total value equivalency summary; Bill Breffle: questions about Dwight Duncan's expertise and qualifications: master's degree in economics, most clients are industrial potentially responsible parties, no experience with non-market valuations, no publications; Dave Mills: restoration projects; Doug Beltman: restoration costs; Joan Goldfarb: confidentiality assurances. Meeting (David Allen, Josh Lipton, Bill Breffle, Jeff Lazo, Edward Morey, Doug Beltman) Dwight Duncan has deep philosophical disagreements with non-market approaches, which is more important to him than the details of our work; Keith Easton is unwilling to consider FWS approach in any serious way; Greg Hill his just along for the ride; David Allen: Hagler Bailly and experts must look for opportunities to persuade and to compromise without losing the ability to move forward without Wisconsin.

14 Jul 2000: Boulder, CO meeting (David Allen, Greg Hill) restoration and compensation determination plan details and strategies; settlement strategies. Meeting (David Allen, Doug Beltman) meeting with DNR on economics; Montrose experts. Phone (David Allen, Joan Goldfarb, Dan Beckhard) David Allen: meeting demonstrated that Wisconsin experts were hired by the potentially responsible parties, have a potentially responsible party view point, and will be opponents on FWS Green Bay natural resource damage assessment economics approaches; however, they lack experience, expertise, and credentials, FWS will continue to try to persuade and compromise, but conflict is highly likely, and FWS intends to prevail with its arguments on the validity of the restoration and compensation determination plan, including the total value equivalency and the recreational fishing valuation.

17 Jul 2000: meeting (David Allen, Janet Smith) George Meyer cut a unilateral deal on natural resource damage assessment at Sheboygan, blindsiding the trustees and DNR staff working on the project, \$5 million natural resource damage assessment if Tecumseh accepts the record of decision for cleanup. Phone (David Allen, Josh Lipton, Doug Beltman) final restoration and compensation determination plan. Phone (David Allen, Ken Stromborg, Janet Smith, Bruce Baker, Steve Guillermo, Vic Pappas, Candy Shrank, Tom Short, Todd Goeks, Sherri Eggelson, John Carlucci, Dave DeVault, Tom Wentlas, Tom Nelson, Dale Katsma, Rick Nagel, Linda Meyer, Chip Krohn, Jim Russell) unilateral deal on Sheboygan by DNR: \$41 million record of decision, \$5 million DNR natural resource damage assessment; Baker: Tecumseh ready to sign, DNR might use the \$5 million from natural resource damage assessment for more cleanup; letter from the Gov to EPA supporting the settlement; Baker, George Meyer, and 2 staff from the Gov negotiated the deal; Carlucci: DOI will re-evaluate its position at Sheboygan since DNR moved unilaterally; David Allen: FWS will re-evaluate other sites in WI given DNR acted unilaterally in exactly the way they promised they would not, including blindsiding own staff and other trustees. Phone (David Allen, Becky Katers) Katers: Georgia-Pacific bought Fort Howard. Phone (David Allen, Frank Horvath) Sheboygan; DNR coordination. Phone (David Allen, Dan Beckhard) Sheboygan; DNR coordination. Phone (David Allen, Jim Hahnenberg) Sheboygan; DNR coordination; Sediment Management Unit 56/57; risk assessment; Agriculture and Environmental Health of Soils risk assessment peer review; updates.

18 Jul 2000: phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb) Sheboygan; DNR coordination. Phone (David Allen, Dave DeVault) details on Sheboygan. Phone (David Allen, Steve

Willey of DOJ) details on Sheboygan. Phone (David Allen, John Carlucci) details on Sheboygan. David Allen calls on Sheboygan details to: Joan Goldfarb, Charlie Wooley, Frank Horvath, Dan Beckhard, John Carlucci, Dave DeVault (who is willing to talk to press), Janet Smith, Ken Stromborg: two years of detailed joint work between DNR staff and FWS staff, no confidentiality agreements, all staff appalled by secret unilateral deal at end. Phone (David Allen, Josh Lipton) publications related to Green Bay natural resource damage assessment. Phone (David Allen, Susan Campbell) Sheboygan background; Sheboygan details; relevance to the current efforts to work closely with DNR on Green Bay natural resource damage assessment; faxed relevant documentation for story. Phone (David Allen, Mark Velleux) PCB modeling details. Phone (David Allen, Frank Horvath) publications related to Green Bay natural resource damage assessment.

20 Jul 2000: phone (David Allen, Gary Amendola, Matt Oxsilida) allocation. Phone (David Allen, Dave DeVault) Green Bay Press-Gazette called for interview on Sheboygan. Phone (David Allen, Susan Campbell) Sheboygan story will run on Saturday; George Meyer is very angry at FWS and claims that Fox River is completely different because of written agreements between DNR and FWS. Letter to Greg Hill RE Green Bay natural resource damage assessment economics information. Phone (David Allen, Frank Horvath) information requests.

21 Jul 2000: phone (David Allen, Doug Beltman) final restoration and compensation determination plan; land cost survey report; letter to DNR on economics information.

24 Jul 2000: phone (David Allen, Jeff Becker) long interview for story on Fox River PCBs. Phone (David Allen, Josh Lipton) Sheboygan story; final restoration and compensation determination plan outreach. Phone (David Allen, Charlie Wooley) fall out from Sheboygan story; Wooley: do not name George Meyer in stories, make sure John Carlucci in loop; David Allen: make sure FWS does not lose the strategic advantage of successfully calling DNR out on Sheboygan before they do same on Fox River, even if FWS takes an apologetic tone. Phone (David Allen, John Carlucci) Sheboygan fallout; long discussion about the history of Sheboygan and Fox and their parallels.

26 Jul 2000: phone (David Allen, Joan Goldfarb) Sheboygan; final restoration and compensation determination plan. Phone (David Allen, Becky Katers) Sheboygan; final restoration and compensation determination plan. Phone (David Allen, Tom Nelson) Sheboygan; final restoration and compensation determination plan schedule.

27 Jul 2000: phone (David Allen, Mark Velleux) PCB models and how to use in remedial investigation/feasibility study. Governmental public relations conference call.

28 Jul 2000: phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch reports that Mark Velleux may leave project or DNR over internal disagreements about PCB modeling. Phone (David Allen, Charlie Wooley) FWS letter to DNR regarding Sheboygan. Phone (David Allen, David Glaser) rumors that Fox River Group is preparing for a large PCB data collection on the Fox River.

31 Jul 2000: phone (David Allen, Joan Goldfarb) Wisconsin complaining about Bill Hartwig's unwillingness to negotiate with potentially responsible parties; natural resource damage assessment end game strategies. Phone (David Allen, Mark Velleux) Velleux disgusted with DNR efforts on PCB modeling, remedial investigation/feasibility study and Fox River Group, taking 3 weeks of vacation.

01 Aug 2000: meeting (David Allen, Janet Smith) Sheboygan deal might be unraveling on DNR. Phone (David Allen, Gary Amendola) allocation estimates are generating attention. Phone (David Allen, Mark Velleux) Velleux met with Ed Lynch and Greg Hill to hand off PCB modeling. Phone (David Allen, Frank Horvath) Sheboygan; allocation.

02 Aug 2000: phone (David Allen, Frank Horvath) Green Bay natural resource damage assessment funding proposal. Phone (David Allen, Joan Goldfarb) Green Bay natural resource damage assessment funding proposal; settlement strategies.

03 Aug 2000: phone (David Allen, Dave Webb) fish data. Phone (David Allen, Josh Lipton, Doug Beltman) final restoration and compensation determination plan.

04 Aug 2000: presentation of restoration planning and scaling to the Science and Technical Advisory Committee. Phone (David Allen, Joan Goldfarb) Science and Technical Advisory Committee; updates.

07 Aug 2000: meeting (David Allen, George Boronow) restoration planning details. Phone (David Allen, John Carlucci) Sheboygan; Green Bay natural resource damage assessment.

08 Aug 2000: meeting (David Allen, Guinevere Abernathy, Mike Grimm) restoration planning.

23 Aug 2000: phone (David Allen, Joan Goldfarb) Al Toma and Charlie Wooley set up a meeting; Appleton Papers Inc. meeting; updates. Phone (David Allen, Josh Lipton, Doug Beltman) John Carlucci is replacing Joan Goldfarb on Green Bay natural resource damage assessment; final restoration and compensation determination plan; settlement discussions with Fort Howard; Science and Technical Advisory Committee meetings; Green Bay natural resource damage assessment economics data and models. Phone (David Allen, Mark Velleux) Velleux: PCB modeling meetings at DNR no longer include Velleux, David Allen should try to go to as many as possible. Meeting (David Allen, Ken Stromborg) updates; Bill Bowerman and Montrose.

24 Aug 2000: Twin Cities, MN meeting (David Allen, Dave DeVault) Sheboygan. Meeting (David Allen, Frank Horvath) updates. Meeting (David Allen, Charlie Wooley) no transfer of economics model to DNR until DNR endorsement of pathway and injury determinations; Service presentation to Fort Howard on settlement principles and priorities will not be dictated by Wisconsin; FWS without consultants, Wooley primary presenter; allocation; remedial investigation/feasibility study. Meeting (David Allen, Frank Horvath) Green Bay natural resource damage assessment budget and presentation to DOI on funding proposal. Phone (David Allen, Frank Horvath, Charlie Wooley, Joan Goldfarb) settlement discussions; PCB modeling; letter from Wooley to Bruce Baker.

25 Aug 2000: Twin Cities, MN: draft letter from Charlie Wooley to Bruce Baker. Meeting (David Allen, Frank Horvath, others) updates; funding proposal. Phone (David Allen, Mark Velleux) QEA; PCB modeling details. Phone (David Allen, Doug Beltman) final restoration and compensation determination plan; PCB modeling and Mark Velleux; settlement discussions; Science and Technical Advisory Committee; restoration planning; schedule.

28 Aug 2000: phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Doug Beltman) request for more time on total value equivalency; absolutely not.

30 Aug 2000: phone (David Allen, Frank Horvath) Charlie Wooley sent letter to Bruce Baker.

31 Aug 2000: governmental public relations conference call. Meeting (David Allen, Janet Smith) restoration planning. Phone (David Allen, Bob Rowe) total value equivalency draft elements and schedule. Phone (David Allen, Tom Nelson) final restoration and compensation determination plan; sturgeon. Phone (David Allen, Charlie Wooley) settlement issues; DNR coordination. Phone (David Allen, Joan Goldfarb) Goldfarb: Charlie Wooley's letter to Bruce Baker succeeded, Greg Hill sent blanket DNR endorsement of FWS pathway and injury determinations. Phone (David Allen, Doug Beltman) final restoration and compensation determination plan schedule.

01 Sep 2000: phone (David Allen, Guinevere Abernathy) restoration planning. Phone (David Allen, Charlie Wooley, Joan Goldfarb) updates. Phone (David Allen, John Carlucci) settlement meetings. Phone (David Allen, Josh Lipton) key settlement principles and strategies.

02 Sep 2000: review total value equivalency drafts.

03 SEP 2000: review total value equivalency drafts.

04 Sep 2000: draft settlement principles.

05 Sep 2000: Chicago, IL meeting on PCB time and trend analyses for remedial investigation/feasibility study. Meeting (David Allen, Bruce Baker, Greg Hill, Ed Lynch, Bob Paulson, Dave Webb, Mark Velleux, Jim Hahnenberg, Bill Muno, Brenda Jones, Tom Nelson, Todd Goeks, Roger Grimes, Dave Ullrich) PCB modeling and data analyses for remedial investigation/feasibility study. Meeting (David Allen, Mark Velleux) meeting de-briefing.

06 Sep 2000: phone (David Allen, Mark Velleux) meeting de-briefing and next steps. Phone (David Allen, Roger Grimes) settlement discussions. Phone (David Allen, Josh Lipton, Doug Beltman) final restoration and compensation determination plan assignments.

07 Sep 2000: phone (David Allen, John Carlucci) updates and meetings. Phone (David Allen, Sonya Wytinck) send economics models to DNR. Washington, D.C. meeting (David Allen, Frank Horvath, Charlie Wooley) preparations for settlement discussions. Meeting (David Allen, Josh Lipton, Doug Beltman) preparations for settlement discussions.

08 Sep 2000: Washington, D.C. meeting (David Allen, Frank Horvath, Charlie Wooley, John Carlucci) preparations for settlement discussions. Meeting (FWS, DOI, NOAA, DOJ, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin) preparations for settlement discussions. Meeting (David Allen, Frank Horvath, Josh Lipton, Charlie Wooley, Joan Goldfarb, John Carlucci, Maureen Katz, Dan Beckhard, Tom Nelson, Peggy Schneider, Doug Cox, Rollie Wilson, Doug Beltman) preparations for settlement discussions.

11 Sep 2000: Twin Cities, MN meeting (David Allen, Frank Horvath, Charlie Wooley, Dan Beckhard, Peggy Schneider, Joan Goldfarb, John Carlucci, Rollie Wilson, Al Toma, John Hanson, Mark Reimer, Bruce Baker, Gerry Hancock, Greg Hill) Toma: invitation to federal and tribal agencies to join the settlement that is about to occur between Fort Howard and DNR, reasons why it is equitable, reasons why it is reasonable, everything is confidential; Reimer: Fort Howard started talking to Wisconsin as lead authorized official earlier in the year, also with EPA on Sediment Management Unit 56/57, Fort Howard went along with Wisconsin on Sediment Management Unit 56/57 demonstration project [from the earlier state/company agreement], and has been very cooperative and helpful, Fort Howard not part of national coalition against dredging, tried to convince Fox River Group about natural resource damage assessment, Fort Howard actions probably spurred Appleton Papers Inc. proposals to Intergovernmental Partnership; Hanson: detailed proposal on natural resource damage assessment, designed to overcompensate, addresses multiple human and ecological endpoints all at once, Fort Howard allocation should be less than 3-9% because of Appleton Papers Inc. arranger liability, draft consent decree for federal court, much discussion with Wisconsin managers to pick good projects; Hill and Reimer: high quality projects; Hanson: Triangle Economics Research Inc. economics study and models show technical validity, not inconsistent with federal work, reasons why federal and tribal agencies should join now, Pete Raynor said earlier that DOI prefers early settlement, Wisconsin has already settled entire natural resource damage assessment, settle now or litigate later, statute of limitations already ran and National Priorities List will not help, federal and tribal agencies have limited jurisdiction, federal liability; Reimer: draft consent decree with changes to bring in federal and tribal agencies (Hill: Wisconsin ok with those changes); Toma: September 30 deadline, but will be flexible if federal and tribal agencies show interest; Hill: Wisconsin is enthusiastic about all of the restoration projects proposed by Fort Howard; Baker: George Meyer checked with DNR staff and they are enthusiastic about all of the restoration projects proposed by Fort Howard; Hanson: Fort Howard, DNR, and Wisconsin Department of Justice already have a deal. One hour break for federal/tribal discussion: David Allen: good projects, wrong scale; Beckhard: they have a deal, their proposed increment is not worth much, so federal and tribal agencies are better off not joining; Wooley will respond to type and scale of projects, Beckhard will respond to low value of projects compared with covenant not to sue. Rejoin. Wooley: final restoration and compensation determination plan coming out in October, 8 years of work, precise determination of how to make public whole, some good overlap with types of projects proposed, but too limited in range and scale; Beckhard: we get most of the benefit of your deal without joining, not worth giving a covenant not to sue for the incremental projects proposed; Wooley: regardless of natural resource damage assessment, FWS wants Sediment Management Unit 56/57 completed quickly; Beckhard: allocation and scale issues, federal and tribal counterproposals will be based on our own work. Caucus. Rejoin. Toma:

appreciate candor, schedule for next meeting. Phone (David Allen, Bob Rowe) total value equivalency, restoration planning, restoration and compensation determination plan, updates.

12 Sep 2000: phone (David Allen, Maureen Katz) meeting with Fort Howard. Phone (David Allen, Josh Lipton, Doug Beltman) discussion of likely magnitude of damages for Green Bay. Phone (David Allen, John Carlucci) summary of legal team call. Phone (David Allen, Roger Grimes) summary of meeting with Fort Howard.

13 Sep 2000: phone (David Allen, Josh Lipton) settlement strategies. Phone (David Allen, Doug Beltman) wetland geographical information system; Science and Technical Advisory Committee; updates. Phone (David Allen, Bob Rowe, Dan Beckhard, Maureen Katz) total value equivalency; Beckhard: George Meyer arranged DNR deal with Fort Howard back in May, Wisconsin already has written agreement; reviewers for final restoration and compensation determination plan. David Allen email to Frank Horvath, Josh Lipton, Charlie Wooley, Bill Hartwig, Doug Beltman, Bob Rowe that George Meyer already has written agreement on natural resource damage assessment with Fort Howard from May.

14 Sep 2000: phone (David Allen, Frank Horvath) briefing for Bill Hartwig on latest DNR treachery; no more emails to Greg Hill until team can assess next steps. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Guinevere Abernathy) restoration planning. Science and Technical Advisory Committee: presentations on Green Bay natural resource damage assessment restoration planning and final restoration and compensation determination plan elements by David Allen, Doug Beltman.

15 Sep 2000: final restoration and compensation determination plan drafting.

16 Sep 2000: final restoration and compensation determination plan drafting.

17 Sep 2000: final restoration and compensation determination plan drafting.

18 Sep 2000: final restoration and compensation determination plan elements review.

19 Sep 2000: Twin Cities, MN: final restoration and compensation determination plan elements editing. Meeting (David Allen, Frank Horvath) final restoration and compensation determination plan. Meeting (David Allen, Frank Horvath, Charlie Wooley) final restoration and compensation determination plan. Meeting (David Allen, Frank Horvath, Charlie Wooley, Bill Hartwig) final restoration and compensation determination plan will be released to the public on October 25, 2000; potential visit by Bruce Babbitt; next meeting with Fort Howard. Meeting (David Allen, Frank Horvath) assessment plan addendum to add Michigan co-trustees next week; public meeting for final restoration and compensation determination plan; next meeting with Fort Howard.

20 Sep 2000: Chicago, IL: total value equivalency review. Final restoration and compensation determination plan review. Meeting (FWS, Menominee Indian Tribe of Wisconsin, Oneida Tribe of

Indians of Wisconsin, NOAA, DNR, Fort Howard) Fort Howard: presentation on settlement proposal; final restoration and compensation determination plan; Bruce Baker: DNR has not agreed to the final restoration and compensation determination plan. Meeting (FWS, DNR, Wisconsin Department of Justice) Bruce Baker: natural resource damage assessment is as large as the cleanup, which is not credible (without any substantive support for the actual size of cleanup, the actual size of the natural resource damage assessment, or the reasons why one should be larger than the other); Gerry Hancock: George Meyer already made a deal with Fort Howard, so we all need to make deal now (without any substantive rationale for the original deal, nor the basis of a current deal); David Allen and Greg Hill will meet on October 5 to discuss the total value equivalency; David Allen will send final restoration and compensation determination plan wetland analyses to Greg Hill tomorrow. Phone (David Allen, Josh Lipton, Doug Beltman) updates from meetings with Fort Howard and DNR. Phone (David Allen, Susan Campbell) final restoration and compensation determination plan.

21 Sep 2000: governmental public relations conference call. Meeting (David Allen, Ken Stromborg, Janet Smith) updates on final restoration and compensation determination plan and meetings with Fort Howard and Wisconsin. Phone (David Allen, Charlie Wooley) Wooley pleased with recent FWS presentations. Phone (David Allen, Mark Velleux) PCB modeling code to FWS by CD and on FTP site. Phone (David Allen, Becky Katers) final restoration and compensation determination plan. Meeting (David Allen, Mark Holey) updates. Phone (David Allen, Emily Green) final restoration and compensation determination plan. Phone (David Allen, Kathy Cavanaugh) MI co-trusteeship and final restoration and compensation determination plan. Phone (David Allen, Mark Velleux) long conversation about whether Velleux should continue with DNR. Phone (David Allen, Doug Beltman) final restoration and compensation determination plan; remedial investigation/feasibility study; public meetings.

22 Sep 2000: final restoration and compensation determination plan review. Phone (David Allen, Frank Horvath, Charlie Wooley) public relations for final restoration and compensation determination plan; letter from Bill Hartwig to Congressional delegation. Phone (David Allen, Guinevere Abernathy) final restoration and compensation determination plan. Phone (David Allen, Joan Goldfarb) MI co-trusteeship and confidentiality agreements.

27 Sep 2000: phone (David Allen, Doug Beltman) final restoration and compensation determination plan. Phone (David Allen, Joan Goldfarb) passive non-use values. Phone (David Allen, Bob Rowe) passive non-use values. Phone (David Allen, Bill Breffle) coding mistake in total value equivalency, fix will change numbers somewhat. Phone (David Allen, Bob Rowe, Joan Goldfarb) passive non-use values. Phone (David Allen, Frank Horvath) updates. Meeting (David Allen, Ken Stromborg) updates.

28 Sep 2000: governmental public relations conference call. Phone (David Allen, Kathy Cavanaugh) final restoration and compensation determination plan; confidentiality agreement. Phone (David Allen, Bud Harris) Science and Technical Advisory Committee comments and input details for final restoration and compensation determination plan elements. Phone (David Allen, Doug Beltman) indirect costs for final restoration and compensation determination plan analyses. Phone (David Allen, Mark Velleux, Paul Baumgart) water clarity modeling.

29 Sep 2000: phone (David Allen, Charlie Wooley) meeting between David Allen and Greg Hill. Phone (David Allen, Ed Lynch) risk assessment comments; time and trend analyses; FWS remedial investigation/feasibility study coordination will be affected by restoration and compensation determination plan until October 25.

02 Oct 2000: Milwaukee, WI meeting (David Allen, Fox River Group technical representatives) ground rules for Fox River Group review of final restoration and compensation determination plan. Boulder, CO meeting (FWS, Hagler Bailly total value equivalency, restoration and compensation determination plan, review by legal team.

03 Oct 2000: Boulder, CO meeting (FWS, Hagler Bailly, legal team) total value equivalency review; restoration and compensation determination plan review.

04 Oct 2000: phone (David Allen, Doug Beltman) comments on final restoration and compensation determination plan.

05 Oct 2000: Green Bay, WI meeting (FWS, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin) final restoration and compensation determination plan. Phone (David Allen, Jim Hahnenberg) Sediment Management Unit 56/57; Agriculture and Environmental Health of Soils peer review; FWS does not need to provide additional input on risk assessment. Phone (David Allen, Matt Richmond) David Allen: keep careful watch in federal court for any filing of settlement by Fort Howard and Wisconsin; updates. Phone (David Allen, Josh Lipton, Doug Beltman) authorship attribution for final restoration and compensation determination plan and final restoration and compensation determination plan citations to Green Bay natural resource damage assessment determinations. Phone (David Allen, Charlie Wooley) schedule for final restoration and compensation determination plan and public meetings.

06 Oct 2000: phone (David Allen, Jim Hahnenberg) risk assessment comments. Phone (David Allen, Frank Horvath) FedEx final restoration and compensation determination plan to John Carlucci. Phone (David Allen, John Carlucci) final restoration and compensation determination plan. Phone (David Allen, Charlie Wooley) meeting in Twin Cities between David Allen, Frank Horvath, Charlie Wooley, and John Carlucci on final restoration and compensation determination plan; Wooley: final restoration and compensation determination plan needs to leave room for discretion; David Allen: final restoration and compensation determination plan has flexibility but it appropriately limits discretion. Phone (David Allen, Tony Giedt) final restoration and compensation determination plan. Phone (David Allen, Frank Horvath) George Meyer sent letter to Bill Hartwig on September 28.

09 Oct 2000: phone (David Allen, Doug Beltman) total value equivalency; final restoration and compensation determination plan; risk assessment; updates. Phone (David Allen, Rollie Wilson) final restoration and compensation determination plan. Phone (David Allen, Frank Horvath) how to deal with John Carlucci's comments on the final restoration and compensation determination plan. Phone

(David Allen, Josh Lipton, Doug Beltman) how to deal with John Carlucci's comments on the final restoration and compensation determination plan.

12 Oct 2000: Twin Cities, MN meeting (David Allen, Frank Horvath, Josh Lipton, John Carlucci by phone) total value equivalency; restoration and compensation determination plan; Carlucci: Office of the Solicitor, Division of Conservation and Wildlife managers and above want many assurances and answers that may not fit into the schedule for the final restoration and compensation determination plan; FWS: Bill Hartwig will not wait for Office of the Solicitor hand wringing, and will sign for DOI per his delegation; Carlucci: makes sense. Phone (FWS, John Carlucci, DOJ) Dan Beckhard and Maureen Katz: final restoration and compensation determination plan is in great shape.

16 Oct 2000: phone (David Allen, Charlie Wooley) final restoration and compensation determination plan public meeting: Bill Hartwig shorter, more general presentation, followed by David Allen more detailed presentation. Phone (David Allen, Becky Katers) final restoration and compensation determination plan public meeting. Phone (David Allen, Maureen Katz) edits for final restoration and compensation determination plan. Phone (David Allen, Josh Lipton, Doug Beltman) incorporation of comments from John Carlucci on final restoration and compensation determination plan; presentations for public meeting. Phone (David Allen, Dan Beckhard) final restoration and compensation determination plan schedule and public meeting. Phone (David Allen, Bud Harris) edits for final restoration and compensation determination plan elements details.

17 Oct 2000: phone (David Allen message for Greg Hill) proposed meeting on final restoration and compensation determination plan on October 24. Phone (David Allen, John Carlucci) Carlucci will write short memo to file regarding his review of the final restoration and compensation determination plan to cover Office of the Solicitor, Division of Conservation and Wildlife questions; Bill Brighton is also reviewing the total value equivalency and restoration and compensation determination plan for national consistency. Federal Register notice for final restoration and compensation determination plan.

18 Oct 2000: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Frank Horvath, Charlie Wooley, Maureen Katz) Katz: Bill Brighton reviewing the final restoration and compensation determination plan for national consistency; FWS letter to DNR.

19 Oct 2000: review of final restoration and compensation determination plan.

20 Oct 2000: phone (David Allen, Charlie Wooley) Federal Register notice and final restoration and compensation determination plan. Phone (David Allen, Roger Grimes) remedial investigation/feasibility study schedule and review. Meeting (David Allen, Susan Campbell) interview for final restoration and compensation determination plan. Phone (David Allen, Frank Horvath, Charlie Wooley) Charlie Wooley pleased with FWS efforts on final restoration and compensation determination plan last 3 weeks. Phone (David Allen, Josh Lipton) no remaining unmanageable comments on final restoration and compensation determination plan; no major changes over the weekend.

23 Oct 2000: phone (David Allen, Becky Katers) final restoration and compensation determination plan; reading room. Final restoration and compensation determination plan presentation preparations.

24 Oct 2000: Final restoration and compensation determination plan presentation preparations. Phone (David Allen, Charlie Wooley) final restoration and compensation determination plan presentations. Phone (David Allen, Frank Horvath, Shelly Hall) Frank Horvath and Wooley smoothed over irritation from Shelly Hall about timing for Office of the Solicitor review of final restoration and compensation determination plan. Phone (David Allen, Larry Smith of University of Wisconsin at Green Bay) David Allen lecture at University of Wisconsin at Green Bay class.

25 Oct 2000: assessment results: final restoration and compensation determination plan (without DNR, but with FWS, NOAA, Oneida Tribe of Indians of Wisconsin, Menominee Indian Tribe of Wisconsin, DOJ, Michigan Department of Environmental Quality, Michigan Department of Justice, and the Little Traverse Bay Bands of Odawa Indians). Phone (David Allen, Maureen Katz) DOJ very happy with final restoration and compensation determination plan. Phone (David Allen, Frank Horvath) public presentation; DNR letter. Phone (David Allen, Rachael Erdman) interview RE final restoration and compensation determination plan. Meeting (David Allen, Becky Freemal of Channel 2 News) interview RE final restoration and compensation determination plan. Phone (David Allen, Susan Campbell) questions about final restoration and compensation determination plan. Phone (David Allen, Jennifer ? of Sierra Club) final restoration and compensation determination plan. Additional interviews with press.

31 Oct 2000: phone (David Allen, Brenda Jones) risk assessment. Phone (David Allen, Rachel Erdman) final restoration and compensation determination plan. Phone (David Allen, Roger Grimes) extensive updates. Phone (David Allen, David Glaser) updates. Phone (David Allen, Becky Katers) final restoration and compensation determination plan. Phone (David Allen, Mark Velleux) Velleux: food web model details; ThermoRETEC Inc. looks like they are relying on PCB models too much for remedial investigation/feasibility study, instead of the underlying data, and hoping to survive with caveats, Greg Hill working on natural resource damage assessment settlements most of his time, Greg Hill threatening Velleux with disciplinary action. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Becky Katers) FWS planning series of public hearings on the final restoration and compensation determination plan.

01 Nov 2000: phone (David Allen, John Carlucci) Carlucci: Frank Horvath was great at DOI funding meeting for natural resource damage assessments; legal team call summary; remedial investigation/feasibility study schedule; Sediment Management Unit 56/57; interaction between Frank Lyons and George Meyer; Bruce Baker said DNR moving forward with settlement with Fort Howard, and Fort Howard is planning press conference against the restoration and compensation determination plan.

03 Nov 2000: phone (David Allen, Frank Horvath, Charlie Wooley) updates. Phone (David Allen, Rachel Erdman) interview. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch wants to remove FWS citation from remedial investigation/feasibility study. Phone (David Allen, Charlie Wooley) Wooley: Greg Hill complaining about FWS releasing documents that are “draft;” David Allen: only releasing documents that DNR releases itself.

06 Nov 2000: phone (David Allen, Jim Hahnenberg) updates; public hearings for final restoration and compensation determination plan.

07 Nov 2000: David Allen lecture on final restoration and compensation determination plan at University of Wisconsin at Green Bay.

08 Nov 2000: phone (David Allen, John Kennedy) Kennedy likes the restoration and compensation determination plan; comments from the Science and Technical Advisory Committee soon.

09 Nov 2000: meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Charlie Wooley) updates.

13 Nov 2000: phone (David Allen, Frank Horvath) updates. Phone (David Allen, David Glaser) Ed Lynch upset about QEA presentation at Society for Environmental Toxicology and Chemistry. Phone (David Allen, Maureen Katz) next meetings.

15 Nov 2000: unilateral settlement by DNR with Fort Howard. David Allen interviews with press about latest unilateral deal by DNR.

16 Nov 2000: David Allen interviews with press about latest unilateral deal by DNR.

17 Nov 2000: David Allen interviews with press about latest unilateral deal by DNR.

20 Nov 2000: phone (David Allen, Jim Hahnenberg) Governor Thompson press release on latest unilateral deal by DNR. Phone (David Allen, Dan Beckhard) strategy for public relations regarding the latest unilateral deal by DNR. Phone (David Allen, Rachael Erdman) fax correspondence RE DNR coordination and deals. Phone (David Allen, Bob Rowe) next Science and Technical Advisory Committee meeting. Phone (David Allen, Frank Horvath) public relations on latest unilateral deal by DNR. Phone (David Allen, Charlie Wooley) connect with public, then potentially responsible parties.

21 Nov 2000: phone (David Allen, John Kennedy) FWS economist at next Science and Technical Advisory Committee meeting; Greg Hill sent a natural resource damage assessment document that looks like it was written by a team of lawyers; David Allen: DNR faces internal conflicts in its positions on remedial investigation/feasibility study, federal natural resource damage assessment, and potentially responsible party-led DNR natural resource damage assessment. Phone (David Allen, Maureen Katz) Science and Technical Advisory Committee meeting; public relations; total value equivalency data to Greg Hill; DNR positions conflicted between remedial investigation/feasibility

study, endorsement of federal natural resource damage assessment, and potentially responsible party-led DNR natural resource damage assessment. Phone (David Allen, Charlie Wooley) public hearings for final restoration and compensation determination plan. Phone (David Allen, Roger Grimes) public relations and the latest unilateral deal by DNR. Phone (David Allen, Frank Horvath) updates. Phone (David Allen, Doug Beltman) budget; remedial investigation. Meeting (David Allen, Mark Holey) updates.

27 Nov 2000: phone (David Allen, Patty Murray of Wisconsin Public Radio) interview RE public meetings on final restoration and compensation determination plan, latest unilateral deal by DNR. Phone (David Allen, William Shuster of Door County Conservation Department) restoration and compensation determination plan; natural resource damage assessment, public meetings, Door County press. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Charlie Woolley) briefing statements. Meeting (David Allen, Mark Holey) updates. Oshkosh, WI public hearing on the final restoration and compensation determination plan (David Allen and Rich Bishop).

28 Nov 2000: phone (David Allen, Tom Nelson) remedial investigation/feasibility study; DNR. Phone (David Allen, John Carlucci) summary of legal team call. Phone (David Allen, Doug Beltman) remedial investigation; updates.

29 Nov 2000: phone (David Allen, Gary Amendola, Matt Oxsilida) allocation details. Phone (David Allen, Roger Grimes, Jim Hahnenberg, Brenda Jones) EPA will attend next natural resource damage assessment strategy meeting. Meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Jim Hahnenberg) walleye tumors; remedial investigation/feasibility study call. Phone (David Allen, Ron Seely, Andy Hall) in-depth interview on the restoration and compensation determination plan, natural resource damage assessment, and latest unilateral settlement by DNR; documentation to Ron Seely. Phone (David Allen, Maureen Katz) formal comments on the unilateral settlement by DNR. Phone (David Allen, Charlie Wooley) The Nature Conservancy; letter to George Meyer. David Allen interview with WDOR on final restoration and compensation determination plan public hearings. David Allen response to Greg Hill email to Science and Technical Advisory Committee.

30 Nov 2000: documentation to Ron Seely. Sturgeon Bay, WI public hearing on the final restoration and compensation determination plan (David Allen, Rich Bishop).

01 Dec 2000: phone (David Allen, Frank Horvath) letter from Dave Ullrich; updates.

04 Dec 2000: phone (David Allen, Ron Seely) 2.5 hour interview with DNR, follow up with FWS in person. Phone (David Allen, Maureen Katz) Katz moving to administrative duties in the Environmental Enforcement Section, Randy Stone taking over for her on Green Bay natural resource damage assessment. Phone (David Allen, Jim Hahnenberg, Roger Grimes) Dave Ullrich letter. Phone (David Allen, Dan Beckhard) Randy Stone. Phone (David Allen, Mark Velleux) Velleux: apology for DNR actions, mood is very bad within DNR; Velleux trying to have remedial investigation/feasibility study rely more on PCB data instead of PCB models. total value equivalency files to Triangle Economics Research Inc.

05 Dec 2000: phone (David Allen, Rachel Erdman) DOJ letter. David Allen interview with Escanaba radio: final restoration and compensation determination plan public hearings. David Allen interview with Marquette Public Radio: final restoration and compensation determination plan public hearings.

06 Dec 2000: Escanaba, MI public hearing on final restoration and compensation determination plan (David Allen, Rich Bishop).

07 Dec 2000: Science and Technical Advisory Committee meeting. Phone (David Allen, Ron Seely) next interview. Appleton, WI public hearing on final restoration and compensation determination plan (David Allen, Rich Bishop).

08 Dec 2000: Milwaukee, WI meeting (David Allen, The Nature Conservancy) restoration opportunities.

11 Dec 2000: phone (David Allen, Jim Hahnenberg) article in Appleton Post-Crescent; next meetings; letter from FWS to EPA; remedial investigation/feasibility study call. Meeting (David Allen, Mark Holey) updates. Phone (David Allen, John Carlucci) updates. Phone (David Allen, Sierra Club) upcoming story in the Wisconsin State Journal. Phone (David Allen, Charlie Wooley) updates and plans.

12 Dec 2000: phone (David Allen, Rachel Erdman) FWS letter to EPA. Phone (David Allen, Bob Rowe) updates. Phone (David Allen, Rene ? of Public Radio) public hearings for final restoration and compensation determination plan.

13 Dec 2000: Rowley's Bay, WI meeting (FWS, DOI, DOJ, EPA) strategies and plans; site visit for restoration opportunities.

14 Dec 2000: Rowley's Bay, WI meeting (FWS, DOI, DOJ, EPA) strategies and plans. Phone (David Allen, Andy Hall) in-depth interview RE restoration and compensation determination plan, natural resource damage assessment, DNR unilateral deal, DNR comments for the story; David Allen suggestions for natural resource damage assessment table in the story.

15 Dec 2000: David Allen notes for Andy Hall story. Phone (David Allen, Mark Travers) final restoration and compensation determination plan comment period. Phone (David Allen, Bob Rowe) final restoration and compensation determination plan comment period; economics discussion with Steve Lynscheid. Phone (David Allen, Andy Hall) interview for story; possibility of follow-up stories. Meeting (David Allen, Mark Holey) updates. Phone (David Allen, Dale McName of Representative Doug Bovin on MI) keep them in the loop on the restoration and compensation determination plan and natural resource damage assessment. Phone (David Allen, Emily Green) updates.

17 Dec 2000: Wisconsin State Journal: "Fox River Sellout?" regarding the DNR settlement with Fort Howard.

19 Dec 2000: David Allen and Ken Stromborg listen to George Meyer on Wisconsin Public Radio RE story in Wisconsin State Journal. Phone (David Allen, Jennifer Feyerherm) Wisconsin State Journal story. Phone (David Allen, Becky Katers) reading room. Phone (David Allen, Andy Hall) letters to the editor. Meeting (David Allen, Mark Holey) story; letters to the editor. Phone (David Allen, Andy Hall) letters to the editor.

20 Dec 2000: phone (David Allen, Jennifer Feyerherm) Sierra Club may send a response to George Meyer to every employee of DNR; David Allen faxed letter to the editor responding to George Meyer. The Nature Conservancy conference call on restoration opportunities. Phone (David Allen, Frank Horvath, Charlie Wooley) letters to the editor.

21 Dec 2000: phone (David Allen, Becky Katers) Clean Water Action Council of Northeastern Wisconsin response to George Meyer letter to the editor. Phone (FA, Frank Horvath) updates. Phone (David Allen, Jim Hahnenberg) updates.

08 Jan 2001: phone (David Allen, Andy Hall) Governor Thompson leaked document regarding Appleton Papers Inc. settlement discussions. Phone (David Allen, Meredith Preston of the Bureau of National Affairs) Green Bay natural resource damage assessment. Phone (David Allen, Jim Hahnenberg) Governor Thompson leaked letter regarding the Appleton Papers Inc. settlement discussions; meeting last week between DNR and EPA went well; David Mandelbaum suggested to Roger Grimes that negotiations re-start, but also claims P.H. Glatfelter has no responsibility beyond Little Lake Buttes des Morts; updates. Phone (David Allen, Jennifer Feyerherm) Andy Hall is going to use Wisconsin open records laws to search for additional documentation about the unilateral deal by DNR; George Meyer called Emily Green at her home, and lectured her (one-way conversation). Phone (David Allen, Doug Beltman) DNR settlement comments; remedial investigation/feasibility study comments; settlement strategies; responsiveness summary for the final restoration and compensation determination plan public comments; economics publications. Phone (David Allen, Charlie Wooley) updates. Phone (David Allen, Wisconsin Audit Bureau) investigation of DNR unilateral deal with Fort Howard; detailed interview. Phone (David Allen, Frank Horvath) updates.

09 Jan 2001: phone (David Allen, Bri Bill) public relations. Phone (David Allen, Frank Horvath) public relations. Meeting (David Allen, Janet Smith) updates. Meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Bob Paulson refused to send data for sediment volume calculations.

10 Jan 2001: review DNR/Fort Howard settlement documents.

11 Jan 2001: governmental public relations conference call; intense debate about DNR proposed quotes; DNR finally agrees to edits to prevent federal quotes in rebuttal. Phone (David Allen, Doug Beltman, Tom Nelson) comments on the DNR/Fort Howard deal. Phone (David Allen, Matt Richmond) updates. Phone (David Allen, Roy Aiken) natural areas on Door Peninsula, beyond The

Nature Conservancy and DNR focus areas, how to merge with Green Bay natural resource damage assessment efforts.

12 Jan 2001: phone (David Allen, Meredith Preston of the BNA Daily Environment) interview for story on the Wisconsin /Fort Howard deal. Phone (David Allen, Charlie Wooley) Wooley had a good talk with DNR.

16 Jan 2001: phone (David Allen, Josh Lipton) updates; natural resource damage assessment regulations. Phone (David Allen, Andy Hall) David Allen gave names of 50 people who have worked on the Green Bay natural resource damage assessment. Phone (David Allen, Rich Bishop) press on Wisconsin /Fort Howard deal. Phone (David Allen, Peter McKeever, attorney from Madison, WI) questions about the Green Bay natural resource damage assessment and the Wisconsin /Fort Howard deal. Phone (David Allen, Ken Stromborg) updates.

17 Jan 2001: The Nature Conservancy meeting on natural areas.

18 Jan 2001: review Fox River Group comments on the final restoration and compensation determination plan. Phone (David Allen, Mark Velleux) PCB fate and transport analyses for the remedial investigation/feasibility study. Phone (David Allen, Jim Hahnenberg) Greg Swanson said there will be consequences if DNR quotes are shortened; EPA is elevating the data sharing issue with DNR; Appleton Papers Inc. negotiations. Phone (David Allen, Charlie Wooley) Appleton Papers Inc. offering \$40 million over 4 years, no covenant not to sue, just no litigation for 4 years.

19 Jan 2001: phone (David Allen, Matt Richmond) updates. Phone (David Allen, Becky Katers) David Allen and Greg Hill invited to talk about the Green Bay natural resource damage assessment.

22 Jan 2001: phone (David Allen, Doug Beltman) Summit VIII for Green Bay natural resource damage assessment. Draft 5th assessment plan addendum. Phone (David Allen, Roy Aiken) final restoration and compensation determination plan restoration opportunities; Aiken talking to paper mill and Paper Council representatives about catalyzing restoration efforts on Door Peninsula.

23 Jan 2001: phone (David Allen, Dan Beckhard) comments on Fort Howard /Wisconsin deal; Summit VIII for Green Bay natural resource damage assessment; referral to litigate Green Bay natural resource damage assessment claims; Appleton Papers Inc. settlement. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch claims he will not send remedial investigation/feasibility study drafts to FWS. Phone (David Allen, John Carlucci) cancel Summit VIII for Green Bay natural resource damage assessment. Phone (David Allen, Mark Velleux) Velleux: Great Lakes National Program Office grant to DNR requires that DNR share information with FWS; PCB export analyses. Phone (David Allen, Doug Beltman) PCB model results; Summit VIII; updates.

24 Jan 2001: phone (David Allen, Greg Swanson) how to lessen the intensity of DNR rhetoric about Green Bay natural resource damage assessment. Phone (David Allen, Tom Nelson) public relations; meetings. Phone (David Allen, Becky Katers) Katers: DNR refuses to meet with Clean Water Action

Council of Northeastern Wisconsin if FWS is also invited. Meeting (David Allen, Tom Nelson, Roy Aiken) settlements; restoration; Chesapeake Bay Foundation; Aiken may try to talk to George Meyer.

29 Jan 2001: phone (David Allen, Charlie Wooley) Wooley: Roger Grimes agrees that Ed Lynch cannot decide unilaterally to refuse to send remedial investigation/feasibility study drafts and remedial investigation/feasibility study information to FWS. Phone (David Allen, Jennifer Feyerherm) Appleton Papers Inc. met with Sierra Club and described their settlement proposal. Phone (David Allen, Roy Aiken) DNR and George Meyer trying to build a \$50 million restoration deal for Door Peninsula, want to look at Chesapeake Bay Foundation for examples before talking with George Meyer.

30 Jan 2001: phone (David Allen, Gary Amendola, Matt Oxsilida) allocation details. Phone (David Allen, Jim Hahnenberg) EPA managers agreed that FWS must receive remedial investigation/feasibility study drafts from DNR, including at least 4 week review schedule; Dave Ullrich said that George Meyer claimed that remedial investigation/ feasibility study and proposed plan will be completed by mid-March; data; updates. Phone (David Allen, John Carlucci) comments on Wisconsin /Fort Howard deal; Freedom of Information Act; updates. Phone (David Allen, Roy Aiken) comments on final restoration and compensation determination plan; Chesapeake Bay Foundation examples.

31 Jan 2001: remedial investigation/feasibility study conference call. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Mark Velleux) PCB loading estimates. Phone (David Allen, Charlie Wooley) Wooley: Shelly Hall is worried about press and about filing Green Bay natural resource damage assessment claims. Phone (David Allen, John Carlucci) habitat equivalency analysis; con-joint analysis for economics; how to engage the Wisconsin /Fort Howard deal.

01 Feb 2001: phone (David Allen, Roger Grimes, Jim Hahnenberg) confidentiality. Phone (David Allen, Bob Rowe) comments on economics in final restoration and compensation determination plan. Phone (David Allen, John Carlucci) confidentiality. Phone (David Allen, Frank Horvath) extensive updates.

05 Feb 2001: meeting (David Allen, Tom Nelson, Doug Cox, Bob Rowe, Dave Mills, Bill Breffle) comments on final restoration and compensation determination plan. Meeting (David Allen, Tom Nelson) Appleton Papers Inc. settlement proposal. Phone (David Allen, Roy Aiken) Aiken has contacts that might catalyze Door Peninsula restoration: Bob Olsen, retired president of the Paper Council, Chesapeake Bay Foundation operatives, Will McDough architect for natural structures, Green Bay natural resource damage assessment.

06 Feb 2001: George Meyer will not be re-appointed Secretary of DNR. Phone (David Allen, Frank Horvath) George Meyer will not be re-appointed Secretary of DNR. Phone (David Allen, Doug Beltman) George Meyer will not be re-appointed Secretary of DNR; remedial investigation/feasibility study and PCB modeling; habitat equivalency analysis, economics, and restoration and compensation determination plan comments. Phone (David Allen, John Carlucci) Carlucci: legal team call summary:

Gerry Hancock reported that Fox River was an issue in the decision not to re-appoint George Meyer; Ann Klee is a new special assistant to Secretary Gail Norton at DOI, and Shelly Hall says that all Green Bay matters must now go through Ann Klee; Gerry Hancock and John Carlucci want to work together on addressing the Wisconsin /Fort Howard deal. Phone (David Allen, Frank Horvath) George Meyer; Ann Klee; habitat equivalency analysis; economics.

07 Feb 2001: analysis of Fort Howard/Wisconsin deal. Phone (David Allen, Frank Horvath) Ann Klee; habitat equivalency analysis; economics. Phone (David Allen, Roy Aiken) Chesapeake Bay Foundation, Clean Water Act, how to build momentum for Door Peninsula restorations.

08 Feb 2001: governmental public relations conference call.

12 Feb 2001: phone (David Allen, Becky Katers) Wisconsin Audit Bureau and Senator George, apparently results were pretty damning for the Wisconsin/Fort Howard deal.

13 Feb 2001: prepare for meeting on strategies to engage on Fort Howard/Wisconsin deal.

14 Feb 2001: phone (David Allen, Matt Richmond) meetings for DOI and then DOI & DNR to discuss Fort Howard/Wisconsin deal.

15 Feb 2001: meeting (David Allen, Frank Horvath, Shelly Hall) Ann Klee; referral for litigation of Green Bay natural resource damage assessment claims; intervention in Fort Howard/Wisconsin deal.

20 Feb 2001: phone (David Allen, Becky Katers) questions RE meetings with Appleton Post-Crescent.

21 Feb 2001: Twin Cities, MN meeting (David Allen, Frank Horvath) updates. Meeting (David Allen, Frank Horvath, Bill Hartwig) letter from Bill Hartwig to DNR. Phone (David Allen, Doug Beltman) comments on final restoration and compensation determination plan; remedial investigation/feasibility study. Phone (David Allen, Tom Nelson) meeting with Oneida Business Committee.

22 Feb 2001: Twin Cities, MN: draft memo from FWS to Office of the Solicitor, Division of Conservation and Wildlife on Fort Howard/Wisconsin deal. Draft memo on remedial investigation/feasibility study. Meeting (David Allen, Frank Horvath, Josh Lipton by phone, Charlie Wooley) Fort Howard/Wisconsin deal.

23 Feb 2001: draft briefing for Secretary DOI on Fort Howard/Wisconsin deal. Meeting (David Allen, Charlie Wooley) future of FWS natural resource damage assessment program under new administration; other opportunities. Phone (David Allen, Jim Hahnenberg) updates; ecological risk assessment.

27 Feb 2001: Lansing, MI meeting (David Allen, Jessica Mistak, Kathy Cavanaugh, Tom Nelson) Michigan restoration opportunities.

28 Feb 2001: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Jim Hahnenberg) updates. Phone (David Allen, Frank Horvath) confidential business information; Frank Horvath: John Carlucci does not want to make economics arguments, does not want to debate it, worried about DNR not liking assessment plan addendum. Phone (David Allen, Roy Aiken) Aiken will meet with George Meyer about Green Bay natural resource damage assessment.

01 Mar 2001: phone (David Allen, Matt Richmond) meeting on Fort Howard/Wisconsin deal is cancelled.

05 Mar 2001: phone (David Allen, Charlie Wooley) allocation range for Fort Howard. Phone (David Allen, Gary Amendola) Randy Stone asking about allocation range for Fort Howard. Phone (David Allen, Josh Lipton, Doug Beltman) comments on the final restoration and compensation determination plan; Appleton Papers Inc. settlement. Phone (David Allen, Mark Velleux) PCB models; PCB loading estimates. Phone (David Allen, David Glaser) PCB models. Phone (David Allen, Doug Beltman) PCB models; remedial investigation/feasibility study.

06 Mar 2001: phone (David Allen, Frank Horvath) Summit VIII with Bill Brighton? Phone (David Allen, Roy Aiken) Aiken talked with George Meyer, Meyer's views about Green Bay unchanged; David Allen: George Meyer does not understand the economics issues, he was probably sincere but terribly misinformed about the substance of natural resource damage assessment and the substance of natural resource damage assessment coordination opportunities and efforts by other agencies, Fox River Group is the real manipulator of most of Meyer's and DNR's current misfortunes on the natural resource damage assessment, though he would no doubt disagree with this assessment.

07 Mar 2001: meeting (David Allen, Ken Stromborg) economics. Phone (David Allen, Dan Beckhard) Beckhard will look into Summit VIII with Bill Brighton. Meetings (David Allen, Frank Horvath, Ken Stromborg Janet Smith, Charlie Wooley) future of natural resource damage assessment program, future of Green Bay natural resource damage assessment, future of Green Bay Field Office, new administration.

08 Mar 2001: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Emily Green) updates. Phone (David Allen, Jim Hahnenberg) Hahnenberg: Ed Lynch admitted that Fort Howard/Wisconsin deal conflicts with the remedial investigation/feasibility study, Bob Paulson and Dave Webb argued against the settlement but were overruled; PCB modeling; feasibility study; updates.

09 Mar 2001: Twin Cities, MN meeting (David Allen, Sue Kozarek) Green Bay natural resource damage assessment budget and contract. Meeting (David Allen, Bill Hartwig) opportunities to transfer into National Wildlife Refuge System of FWS? Meeting (David Allen, Jim Leech) opportunities to transfer into National Wildlife Refuge system of FWS? Meeting (David Allen, Tom Worthington) opportunities to transfer into National Wildlife Refuge system of FWS? Meeting (David Allen, TJ Miller) updates. Meeting (David Allen, Dave DeVault) updates.

12 Mar 2001: David Allen updates from Charlie Wooley, John Carlucci, Dan Beckhard, Randy Stone, and Tom Nelson about meetings in Washington, D.C. between FWS, DOI, DOJ, Oneida Tribe of Indians of Wisconsin, DNR, and Wisconsin Department of Justice about Wisconsin/Fort Howard deal.

13 Mar 2001: meeting (David Allen, Mark Holey) updates. Phone (David Allen, Tom Nelson) Nelson: Bazzell cited Besadny meeting and claimed that FWS would not allow DNR lead on natural resource damage assessment, which caused DNR to decline to participate; David Allen: extensive documentation refutes this story. Phone (David Allen, Charlie Wooley) Tom Nelson called; time to look forward, not backwards. Send documents to Tom Nelson about early FWS coordination with DNR.

14 Mar 2001: DNR suspends deal with Fort Howard James. Phone (David Allen, Becky Katers) updates. Phone (David Allen, Mark Velleux) PCB modeling technical memoranda are done.

15 Mar 2001: phone (David Allen, John Carlucci) summary of meeting with John Hanson. Phone (David Allen, Sue Pastor) alteration of the deal between Fort Howard and Wisconsin. Phone (David Allen, Jim Hahnenberg) Wisconsin /Fort Howard deal suspended. Phone (David Allen, Jennifer Feyerherm) Feyerherm: Bruce Baker said that Intergovernmental Partnership negotiations were fruitful.

16 Mar 2001: compile history of press coverage on Green Bay natural resource damage assessment.

19 Mar 2001: phone (David Allen, Becky Katers) history of press on the Green Bay natural resource damage assessment. Phone (David Allen, Andy Hall) history of press on the Green Bay natural resource damage assessment. Phone (David Allen, Jennifer Feyerherm) history of press on the Green Bay natural resource damage assessment.

20 Mar 2001: phone (David Allen, Frank Horvath, Charlie Wooley) \$34.3 million natural resources damages settlement with Appleton Papers Inc. and National Cash Register. Wooley: consent decree with Appleton Papers Inc. in DOJ hands, no press, all comments through Wooley, DOJ prefers negotiations to litigation, DOJ issues about U.S. liability arguments, education component lacking on the restoration and compensation determination plan. Phone (David Allen, John Carlucci) Appleton Papers Inc. settlement.

21 Mar 2001: read DOI ethics information RE employment outside of government. Phone (David Allen, Doug Beltman) settlement implementation strategies; discussion with John Carlucci about restoration and compensation determination plan scale numbers.

22 Mar 2001: phone (David Allen, Roy Aiken) Aiken: Greg Hill called DNR district about Door Peninsula restoration proposals; Aiken has additional meetings scheduled. Phone (David Allen,

Charlie Wooley) Roy Aiken; Appleton Papers Inc. consent decree meeting, lawyers only; merge allocation positions RE Fort Howard. Phone (David Allen, Mark Velleux) PCB loading estimates.

23 Mar 2001: phone (David Allen, John Carlucci) how to break up numbers in restoration and compensation determination plan for negotiations.

28 Mar 2001: phone (David Allen, Doug Beltman) DOI questions about total value equivalency; budgets and schedules. Phone (David Allen, Jim Hahnenberg) updates. Meeting (David Allen, Ken Stromborg) updates. Phone (David Allen, Roy Aiken) organizing for Door Peninsula restoration; National Fish and Wildlife Foundation; Bruce Baker and Secretary Darrell Bazzell. David Allen lecture on Green Bay natural resource damage assessment at University of Wisconsin at Green Bay.

02 Apr 2001: Yosemite, CA: national FWS meeting, environmental contaminants.

03-06 Apr 2001: Yosemite, CA: national FWS meeting, environmental contaminants. Phone (David Allen, Josh Lipton) Hagler Bailly hire David Allen? David Allen willing to talk, but even talking requires separation on Green Bay natural resource damage assessment.

08 Apr 2001: phone (David Allen, Josh Lipton) David Allen will separate from Green Bay natural resource damage assessment.

09 Apr 2001: David Allen separation from Green Bay natural resource damage assessment.

12 Apr 2001: Twin Cities, MN meeting (David Allen, Frank Horvath) Green Bay natural resource damage assessment information transfer. Meeting (David Allen, Charlie Wooley) Green Bay natural resource damage assessment information transfer.

16-17 Apr 2001: David Allen calls about separating from Green Bay natural resource damage assessment.

18 Apr 2001: Twin Cities, MN meeting (David Allen, Frank Horvath, Charlie Wooley) Green Bay natural resource damage assessment information transfer.

19 Apr 2001: David Allen calls about separating from Green Bay natural resource damage assessment.

20 Apr 2001: Green Bay natural resource damage assessment information transfer.

30 Apr-04 May 2001: Green Bay natural resource damage assessment information transfer.