

## Roemerman, Paul

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**From:** Muenchow, Kurt A -FS <kmuenchow@fs.fed.us>  
**Sent:** Friday, August 08, 2014 11:24 AM  
**To:** Mitchell, Brian; Roemerman, Paul  
**Cc:** Lloyd, Brian A -FS; FLINIAU, HOLLY - OGC; Tapia, Cecilia  
**Subject:** RE: R7 Federal Facility Docket Coordinator - EPA PA for "bessey site"

Thanks to NDEQ for locating & sharing the information with EPA R7! I hope a thorough review of this documentation by EPA R7 staff will satisfy any remaining concerns regarding release sites on the Nebraska National Forest that may be listed on the Federal Facility Compliance Docket.

If this is not the case, and EPA chooses to perform a CERCLA Preliminary Assessment, the following considerations apply:

1. CERCLA removal authority (excepting "classic emergencies") for NFS-managed lands was delegated to the USDA (& subsequently delegated to USFS – in this case USFS Rocky Mountain Region - via Executive Order 12580 &tc.);
2. To avoid duplication of effort & waste of Federal resources, access to the site must be secured from the USDA Forest Service Rocky Mountain Region (contact me or the Regional Environmental Engineer, Brian Lloyd) prior to EPA (or EPA contractor) entry onto NFS-managed lands for any CERCLA activity;
3. The USFS seeks to ensure efficiency of service in the federal family by avoiding unnecessary duplication of effort (and possible, unnecessary, subsequent "cost recovery"/enforcement from EPA R7) – to that end (and lacking any specific indication of release of hazardous substances, pollutant or contaminant to the environment that has not already been addressed by the USFS), any onsite work on NFS-managed lands must be completed pursuant to an interagency MOU (as is done cooperatively in our USFS Rocky Mountain Region with the US ACE, US EPA R8, and other agencies) and involve the USFS Rocky Mountain Region CERCLA Coordinator.

Both Holly Fliniau (USDA Washington Office) & I remain available to answer any questions or concerns regarding docket sites located on NFS-managed lands in the USDA Forest Service Rocky Mountain Region and we will continue to try & coordinate work deemed necessary to ensure that EPA's Federal Facility Compliance Docket is accurate and complete while minimizing expenditure of scarce federal resources.

Kurt Muenchow  
USFS Rocky Mountain Region/ENG  
303-275-5201 (303-324-6297:cell)

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**From:** Mitchell, Brian [mailto:Mitchell.Brian@epa.gov]  
**Sent:** Thursday, August 07, 2014 8:16 AM  
**To:** Roemerman, Paul; Muenchow, Kurt A -FS  
**Subject:** RE: R7 Federal Facility Docket Coordinator

I got the CD and will send it over Paul.

Brian Mitchell  
Nebraska Site Assessment Manager  
ERNB/SUPR  
EPA Region 7  
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Pillar 253  
Kansas City, Missouri 64161  
913-551-7633 work  
816-304-4158 cell



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**From:** Roemerman, Paul  
**Sent:** Thursday, August 07, 2014 8:56 AM  
**To:** [kmuenchow@fs.fed.us](mailto:kmuenchow@fs.fed.us)  
**Cc:** Roemerman, Paul; Mitchell, Brian  
**Subject:** RE: R7 Federal Facility Docket Coordinator

Kurt,

Again I am confused by your letter. I agreed with you the National Forest Sites were both NFRAP'd. NFRAP is basically a button in a computer system. EPA Region 7 does not issued "NFRAP Letters" as you are requesting and basically that designation can change at any time based on new information. We are not planning a PA for either of the National Forest Sites. There is no place in the electronic docket to show a site is NFRAP'd, as that is a CERCLIS/SEMS (SEMS is replacing CERCLIS) classification and not a Federal Docket classification so therefore the docket only shows that a site is current.

We are planning a PA for the Bessey Site. That is located at latitude +41.808889 and longitude - 100.319444. We do not have a street address for it.

You seem to indicate although you don't say it that Bessey is a duplicate site. However, the two National Forest sites are listed at other locations. If you think these are duplicate sites, you need to show some reports and/or maps that would show this as well as possibly explain why the site has been on the docket for 17 years and USDA hasn't made this claim when it was listed. I am not sure if we can remove it from the docket after so long a time or not, even if this can be shown.

The current PA for Bessey is a fund lead action, meaning that EPA is paying for it.

One of your messages talks about a CD. Can you provide me a copy of that?

Thanks, Paul

Paul W. Roemerman  
Site Assessment Manager  
Kansas State Coordinator  
US EPA Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
913-551-7694

National Response Center 24/7 Spill Reporting Line 1-800-424-8802 and EPA Emergency Response Duty Officer 24/7 Spill Reporting Line 913-281-0991

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**From:** Muenchow, Kurt A -FS [<mailto:kmuenchow@fs.fed.us>]  
**Sent:** Wednesday, August 06, 2014 3:34 PM  
**To:** Lloyd, Brian A -FS; FLINIAU, HOLLY - OGC  
**Cc:** Treimel, Ellen; Tapia, Cecilia; Roemerman, Paul; Mitchell, Brian; Buchholz, Ken; Davis, Todd H.; Dalal, Pradip; Gunn, Gene  
**Subject:** RE: R7 Federal Facility Docket Coordinator

The buried drums on the Nebraska NF have been removed & disposed (as indicated in the letter & info previously-provided to EPA). EPA already issued NRFAP determinations for these sites, but can't/won't find the info in either the attachment to the letter we sent & their CERCLIS files. EPA appears to be set on a "PA" for the site. As they haven't told

us.what site/location they are referring to & don't appear to want to review the materials we've already provided, I am unable to proceed.

Clearly, I am unable to communicate clearly with EPA folks on this, as even EPA and Nebraska DNR ALREADY issued NFRAP letters & yet EPA R7 won't correct the FF Docket to update the site status as NFRAP (based on their own determinations), nor will EPA tell us a specific location for any of these docket listings (so that we can ascertain if there is any release). I don't have this problem with our EPA R8 counterparts - perhaps it is because I meet with them face-to-face.

How would you like me to proceed? Here are some options; (1) get Diane/USDA OGC advice on if this can be handled via OGC; (2) go to KC & meet with EPA 7 folks and hand them a copy of each document & go over each document with them to try and arrive at a common understanding; (3) kick this up to Mary and/or the Regional Forester to elevate to the EPA R7 Administrator; or (4) drop the whole thing & ignore the FF docket, since we have provided all the information (repeatedly) to no avail?

Kurt Muenchow  
USFS Rocky Mountain Region/ENG  
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**From:** Roemerman, Paul [<mailto:Roemerman.Paul@epa.gov>]  
**Sent:** Wednesday, August 06, 2014 7:29 AM  
**To:** Muenchow, Kurt A -FS; Mitchell, Brian; Buchholz, Ken; Davis, Todd H.; Dalal, Pradip; Gunn, Gene; Lloyd, Brian A -FS; FLINIAU, HOLLY - OGC; Tapia, Cecilia  
**Cc:** Roemerman, Paul; Treimel, Ellen  
**Subject:** FW: R7 Federal Facility Docket Coordinator

Kurt,

I am somewhat confused by some of your statements and questions but will try to answer them the best I can.

The Nebraska National Forest Site #2 is not being listed again on the Master Docket List but is being restored to the electronic Master Docket List. Nothing is changing about that listing. When the electronic list was created, apparently not all the sites were carried over and headquarters has a contractor restoring those sites to the electronic list.

At this time, the Nebraska National Forest Site #1 is still on the docket and again nothing has changed at this time with this site.

The Bessey Nursery site was added to the Master Docket List on 6/27/1997. This is a separate site even though it may be co-located on the Nebraska National Forest #2 Site. This is not unusual for docket sites especially large sites such as National Forests and similar sites that occupy large geographical areas. Basically the only way to address this site being on the Master Docket List is to conduct a preliminary assessment. This site is being handled at EPA by Brian Mitchell who may be reached at 913-551-7633 for site specific questions. I believe he is currently planning to conduct a Preliminary Assessment at the site to address two alleged dump sites.

I am unclear what you are asking for when you say "administrative closure" for the "Nebraska" docket listing but both of the National Forest sites are listed as being NFRAP which is an EPA determination that further assessment work is not planned at this time for these sites. However, any site may be re-opened in the future based on new information or a separate site could be opened based on that information which is what I assume happened in 1997 when the Bessey Site was added. As site manager, Brian Mitchell may be able to provide you that information. However, as I said above, the way to address that site is to conduct the preliminary assessment.

As far as the June 26, 2013 letter to Cecilia Tapia, I have been unable to find a copy of that letter and so cannot determine what was done with it or more importantly, why it wasn't answered but I hope I have addressed all of your concerns up above.

Thanks, Paul

Paul W. Roemerman  
Site Assessment Manager  
Kansas State Coordinator  
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913-551-7694

National Response Center 24/7 Spill Reporting Line 1-800-424-8802 and EPA Emergency Response Duty Officer 24/7 Spill Reporting Line 913-281-0991

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**From:** Muenchow, Kurt A -FS [<mailto:kmuenchow@fs.fed.us>]  
**Sent:** Monday, August 04, 2014 3:06 PM  
**To:** Mitchell, Brian; Buchholz, Ken; Davis, Todd H.; Roemerman, Paul  
**Cc:** Dalal, Pradip; Gunn, Gene; Lloyd, Brian A -FS; FLINIAU, HOLLY - OGC; Tapia, Cecilia  
**Subject:** RE: R7 Federal Facility Docket Coordinator

FYI, Attached is a draft letter that the USFS may choose to send to the EPA WO.

Also attached for reference is information from the USFS that may clarify the ongoing confusion regarding the "Nebraska NF" docket listing(s). The USFS has, for several years, been attempting to obtain administrative closure for the "Nebraska" docket listing, but has not received substantive response from EPA. Please do not continue to blindly, "update" the docket without adequately-addressing these USFS efforts.

In short, we need to consider the significant staff time at both EPA and the USFS that we cannot afford to spend on something that appears to have been taken care of.

Kurt Muenchow  
USFS Rocky Mountain Region/ENG  
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**From:** Mitchell, Brian [<mailto:Mitchell.Brian@epa.gov>]  
**Sent:** Monday, August 04, 2014 9:05 AM  
**To:** Buchholz, Ken; Davis, Todd H.; Roemerman, Paul; Muenchow, Kurt A -FS  
**Cc:** Dalal, Pradip; Gunn, Gene  
**Subject:** RE: R7 Federal Facility Docket Coordinator

They had illegal disposal areas that were investigated via removal and as a result the sites were queued up for site assessment activities. The 2 sites were entered into CERCLIS before my time. Ron did not want to have the sites taken off the site assessment track. They do not want to do Pas. I will only take them out of site assessment track if someone above me is willing to tell me to do so.

Brian Mitchell  
Nebraska Site Assessment Manager  
ERNB/SUPR  
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**From:** Buchholz, Ken  
**Sent:** Monday, August 04, 2014 9:40 AM  
**To:** Davis, Todd H.; Roerman, Paul; Mitchell, Brian  
**Cc:** Dalal, Pradip; Gunn, Gene  
**Subject:** FW: R7 Federal Facility Docket Coordinator

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**From:** Tapia, Cecilia  
**Sent:** Monday, August 04, 2014 8:25 AM  
**To:** Buchholz, Ken; Jackson, Robert W.  
**Subject:** FW: R7 Federal Facility Docket Coordinator

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**From:** Muenchow, Kurt A -FS [<mailto:kmuenchow@fs.fed.us>]  
**Sent:** Friday, August 01, 2014 4:06 PM  
**To:** Tapia, Cecilia  
**Cc:** [Paul.Reormerman@epa.gov](mailto:Paul.Reormerman@epa.gov)  
**Subject:** RE: R7 Federal Facility Docket Coordinator

Thanks so much for your prompt reply!

I will follow up with Paul about the following letter that may have gotten lost during EPA R7's re-organizing & office move(s) - in hopes that the upcoming update to the Federal Facility Compliance Docket does not result in unnecessary, additional staffwork in either the US EPA or USFS.

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**From:** Tapia, Cecilia [<mailto:Tapia.Cecilia@epa.gov>]  
**Sent:** Friday, August 01, 2014 2:29 PM  
**To:** Muenchow, Kurt A -FS  
**Cc:** Roerman, Paul; Jackson, Robert W.  
**Subject:** R7 Federal Facility Docket Coordinator

Paul Reormerman is our new Federal Facility docket coordinator. He can be reached at (913)551-7694.

Thanks

*Cecilia Tapia*  
Director, Superfund Division  
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