

From: Walton, Katherine S. <KWalton@schiffhardin.com>
Sent: Saturday, January 23, 2021 8:08 AM
To: Gruen, Andrea M - DNR
Cc: Beggs, Tauren R - DNR; Witte, Edward; Rodriguez, Gabriel M.; Kristin.Jones@newellco.com; Kathleen M. McDaniel (kmcDaniel@manitowoc.org); Schenck, Sarah
Subject: RE: Former Newton Gravel Pit site (BRRTS # 02-36-000268)

Hi Andrea – NOC agrees to provide monthly status updates on the 15th of each month, with the next update to be provided on February 15. NOC also agrees to provide an update as to the anticipated timing of a further cost sharing agreement at that time.

Regards,
Katie

From: Gruen, Andrea M - DNR [<mailto:Andrea.Gruen@wisconsin.gov>]
Sent: Thursday, January 21, 2021 3:29 PM
To: Walton, Katherine S. <KWalton@schiffhardin.com>
Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>; Witte, Edward <nwitte@gklaw.com>; Rodriguez, Gabriel M. <grodriquez@schiffhardin.com>; Kristin.Jones@newellco.com; Kathleen M. McDaniel (kmcDaniel@manitowoc.org) <kmcDaniel@manitowoc.org>; Schenck, Sarah <[SSchenck@gklaw.com](mailto:sschenck@gklaw.com)>
Subject: [EXT] RE: Former Newton Gravel Pit site (BRRTS # 02-36-000268)

CAUTION: External email.

Good afternoon Katherine,

Thank you once again for your response on behalf of Newell Operating Company (NOC) regarding the status of cost sharing agreement discussions for 2020 and beyond between NOC and the City of Manitowoc (“the City”) regarding the Manitowoc City / Former Newton Tn Gravel Pit site (“the Site”).

The department is encouraged to hear that several meetings have taken place between NOC and the City. Due to the extended nature of this case and the mutual goal of all parties to reach an agreement for cost sharing of cleanup actions at the Site in a timely manner, the department is requesting monthly status updates from NOC regarding progress toward reaching a cost share agreement from, to be submitted on or before the 15th of each month, until an agreement is reached between NOC and the City.

Additionally, the department is requesting the proposed timeline for when such an agreement will be reached, as originally requested in the November 10, 2020 correspondence from the department to NOC, be submitted with the February 15, 2021 status update.

Please let me know if you have any questions.

Thank you,
Andrea

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Andrea Gruen

Phone: (920) 366-1980

Andrea.Gruen@Wisconsin.gov

From: Walton, Katherine S. <KWalton@schiffhardin.com>

Sent: Friday, January 15, 2021 3:00 PM

To: Gruen, Andrea M - DNR <Andrea.Gruen@wisconsin.gov>

Cc: Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>; Witte, Edward <nwitte@gklaw.com>; Rodriguez, Gabriel M. <grodriguez@schiffhardin.com>; Kristin.Jones@newellco.com; Kathleen M. McDaniel (<kmcdaniel@manitowoc.org> <kmcdaniel@manitowoc.org>; Schenck, Sarah <sschenck@gklaw.com>

Subject: Former Newton Gravel Pit site (BRRTS # 02-36-000268)

Andrea – I write on behalf of Newell Operating Company (“NOC”) to report on the status of discussions between the City of Manitowoc (“City”) and NOC relating to cost sharing for 2020 costs incurred by the City relating to the ongoing investigation and remediation of the Newton Gravel Pit site (“Site”). As you are aware, NOC and the City reached an agreement last year for NOC’s reimbursement of a share of the City’s past costs at the Site up through the end of 2019.

Since the parties’ November 5, 2020 conference with the WDNR, the parties have continued discussions and are making progress towards reaching an agreement for 2020 costs. On December 3, 2020, the parties and their consultants had a call to discuss NOC’s requests for past and current Site data. On that call, the City also provided high-level information relating to its 2020 costs and stated that it would be able to provide more information as its 2020 accounting was finalized.

On January 8, the City provided NOC with updated, but still high-level, cost information. On January 13, the parties and their consultants had a call on which the City’s consultants provided an update of 2020 Site investigation activities and anticipated 2021 activities. The parties are scheduled to continue that discussion and to discuss updated cost information provided by the City on January 14 during another call scheduled for January 22. In the meantime, NOC has requested from the City certain backup documentation relating to the City’s costs, as well as the data generated from 2020 Site activities.

NOC and the City are committed to continuing their discussions and to providing a further update by March 15, 2021. Please let me know if you have any questions.

Regards,

Katherine Walton

Partner

Pronouns: She/Her/Hers

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