

From: Gruen, Andrea M - DNR
Sent: Monday, July 18, 2022 3:58 PM
To: Rodriguez, Gabriel M.; Sawula, Andrew N.
Cc: Beggs, Tauren R - DNR; Chronert, Roxanne N - DNR; Sparks, Craig C - DNR; Kristin Holloway Jones (kristin.jones@newellco.com)
Subject: Newell Operating Company - Meeting Follow-Up

Good afternoon,

Thank you for your time earlier today to discuss the actions that the department is requesting of NOC with regard to the Former Newton Gravel Pit Site (BRRTS # 02-36-000268; the Site).

At the conclusion of the meeting, department and NOC representatives agreed that NOC would submit a description of how future cost reimbursement to the City of Manitowoc for investigation and remediation efforts at the Site would occur and a commitment to adhering to them by **August 19, 2022.**

Please let me know if you have any questions in the meantime.

Thank you,
Andrea

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Andrea Gruen

Environmental Enforcement Specialist
Investigations & Environmental Enforcement Section
Division of Public Safety & Resource Protection
Wisconsin Department of Natural Resources
2984 Shawano Ave.
Green Bay, WI 54313
Phone: (920) 366-1980
Andrea.Gruen@Wisconsin.gov



dnr.wi.gov



From: Gruen, Andrea M - DNR
Sent: Monday, July 18, 2022 7:18 AM
To: Sawula, Andrew N.; Beggs, Tauren R - DNR
Cc: Jones, Kristin; Rodriguez, Gabriel M.; Witte, Edward; Schenck, Sarah
Subject: RE: Former Newton Gravel Pit Site (BRRTS # 02-36-000268)

Thank you, Andy. We look forward to our discussion later this morning.

Andrea

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Andrea Gruen

Phone: (920) 366-1980

Andrea.Gruen@Wisconsin.gov

From: Sawula, Andrew N. <andrew.sawula@afslaw.com>
Sent: Friday, July 15, 2022 4:04 PM
To: Gruen, Andrea M - DNR <Andrea.Gruen@wisconsin.gov>; Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Cc: Jones, Kristin <Kristin.Jones@newellco.com>; Rodriguez, Gabriel M. <gabriel.rodriguez@afslaw.com>; Witte, Edward <nwitte@gklaw.com>; Schenck, Sarah <SSchenck@gklaw.com>
Subject: Former Newton Gravel Pit Site (BRRTS # 02-36-000268)

Dear Andrea and Tauren,

I write to provide Newell Operating Company's ("NOC") bi-monthly status update on the Former Newton Gravel Pit site.

1. The city and NOC reached an agreement concerning NOC's payment of a portion of the city's 2021 costs. The parties are in the process of executing the settlement agreement to facilitate that payment.
2. Counsel for NOC and the city have conferred regarding a regular schedule for discussing payments going forward. Counsel for the city is working with the city on a proposal, based on this discussion. We anticipate concluding these discussions shortly.
3. NOC and the city are in the process of scheduling the date for their regular quarterly update call.

Kind regards,
Andy

**ArentFox
Schiff**

Andrew N. Sawula

PARTNER | ARENTFOX SCHIFF LLP
(HE/HIM/HIS)

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One Westminster Place, Suite 200, Lake Forest, IL 60045

NEW EMAIL ADDRESS

My new email address is andrew.sawula@afslaw.com

This message and any attachments may contain confidential information protected by the attorney-client or other privilege. If you believe that it has been sent to you in error, please reply to the sender that you received the message in error. Then delete it. Thank you.

From: Gruen, Andrea M - DNR
Sent: Monday, July 11, 2022 9:42 AM
To: Sawula, Andrew N.; Beggs, Tauren R - DNR
Cc: Jones, Kristin; Rodriguez, Gabriel M.; Witte, Edward; Schenck, Sarah
Subject: RE: Former Newton Gravel Pit Site (BRRTS # 02-36-000268)

Good morning Andrew,

Department staff have met to discuss the information provided by NOC and would like to schedule a brief meeting to discuss the remaining action items that the department is asking for in an effort to resolve this enforcement case.

If you could please provide some dates and times that you and/or whatever representatives of NOC you would like present to discuss the matter are available, it would be very much appreciated.

Thank you,
Andrea

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Andrea Gruen

Phone: (920) 366-1980

Andrea.Gruen@Wisconsin.gov

From: Sawula, Andrew N. <andrew.sawula@afslaw.com>
Sent: Thursday, June 2, 2022 10:52 AM
To: Gruen, Andrea M - DNR <Andrea.Gruen@wisconsin.gov>; Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Cc: Jones, Kristin <Kristin.Jones@newellco.com>; Rodriguez, Gabriel M. <gabriel.rodriguez@afslaw.com>; Witte, Edward <nwitte@gklaw.com>; Schenck, Sarah <[SSchenck@gklaw.com](mailto:sschenck@gklaw.com)>
Subject: RE: Former Newton Gravel Pit Site (BRRTS # 02-36-000268)

Thank you, Andrea

From: Gruen, Andrea M - DNR [<mailto:Andrea.Gruen@wisconsin.gov>]
Sent: Thursday, June 2, 2022 10:13 AM
To: Sawula, Andrew N. <asawula@schiffhardin.com>; Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>
Cc: Jones, Kristin <Kristin.Jones@newellco.com>; Rodriguez, Gabriel M. <grodriquez@schiffhardin.com>; Witte, Edward <nwitte@gklaw.com>; Schenck, Sarah <[SSchenck@gklaw.com](mailto:sschenck@gklaw.com)>
Subject: [EXT] RE: Former Newton Gravel Pit Site (BRRTS # 02-36-000268)

Andrew,

Thank you for this update on behalf of NOC. The department will review the information provided and return with any follow-up questions that we have.

Thank you,
Andrea

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Andrea Gruen

Phone: (920) 366-1980

Andrea.Gruen@Wisconsin.gov

From: Sawula, Andrew N. <andrew.sawula@afslaw.com>

Sent: Tuesday, May 31, 2022 10:49 AM

To: Gruen, Andrea M - DNR <Andrea.Gruen@wisconsin.gov>; Beggs, Tauren R - DNR <Tauren.Beggs@wisconsin.gov>

Cc: Jones, Kristin <Kristin.Jones@newellco.com>; Rodriguez, Gabriel M. <gabriel.rodriguez@afslaw.com>; Witte, Edward <nwitte@gklaw.com>; Schenck, Sarah <SSchenck@gklaw.com>

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

Andrea,

With June 1st approaching, I write to provide an update on developing a schedule for cost recovery for 2021 and beyond.

As we reported through Katie's email on February 2nd, the City reported during the parties' January 28 phone call that it was gathering information regarding those costs and would forward them to NOC for review. NOC further committed to working with the City to establish a set schedule for the City to provide NOC with its cost information for the previous year, together with a demand for payment of a portion of those costs.

As I reported in my May 13th email, below, the City provided NOC a spreadsheet outlining its 2021 Gravel Pit-related costs on May 2nd and informed us that it would assemble the backup for the identified costs. Since May 13th, I have corresponded with Ned Witte, counsel for the City, regarding both the 2021 backup and the DNR's request that we establish a schedule for cost recovery for 2021 and beyond. I understand that the City is still in the process of assembling documentation to support its summary of 2021 costs. NOC will promptly review that documentation upon receipt.

In light of the fact that NOC does not know when it will receive the cost documentation for 2021—or for future years—we do not anticipate having an agreed upon schedule by June 1st. NOC remains committed to working with the City to establish a schedule, as we expressed in our February 2nd email.

If you have any questions, please do not hesitate to email or call me.

Sincerely,
Andy