

FILED

Nov 2, 2023

6:32 PM

U.S. EPA REGION 3
HEARING CLERK

From: [Lazos, Pamela](#)
To: [Esposito, Bevin](#)
Subject: FW: Boyd Farms/Frazier Boyd Settlement [WMIMAN-IWOVRIC.FID1091653]
Date: Thursday, November 02, 2023 6:31:38 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Bevin – can you file this email with the Boyd AOC file? They are choosing to withdraw from Dispute Resolution and begin settlement negotiations so this should be part of the Administrative Record. Docket. No. CWA-03-2020-0109DW

Thank you, Pam

From: James, Charles E. <cjames@williamsmullen.com>
Sent: Wednesday, November 01, 2023 4:57 PM
To: Lazos, Pamela <Lazos.Pamela@epa.gov>
Subject: RE: Boyd Farms/Frazier Boyd Settlement [WMIMAN-IWOVRIC.FID1091653]

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Pam,

We wish to withdraw from Dispute Resolution as outlined below and are glad to proceed to settlement. We welcome your proposal later this month.

Thanks,
Chuck

Charles “Chuck” E. James, Jr
Attorney
T 804.420.6529 | C 804.512.3344
[email](#) | [v-card](#) | [website](#) | [LinkedIn](#)

Williams Mullen Center | 200 South 10th Street, Suite 1600 | P.O. Box 1320 (23218) | Richmond, VA 23219

NOTICE: Information contained in this transmission to the named addressee is proprietary and is subject to attorney-client privilege and work product confidentiality. If the recipient of this transmission is not the named addressee, the recipient should immediately notify the sender and destroy the information transmitted without making any copy or distribution thereof.

From: Lazos, Pamela <Lazos.Pamela@epa.gov>
Sent: Monday, October 30, 2023 5:40 PM
To: James, Charles E. <cjames@williamsmullen.com>
Subject: RE: Boyd Farms/Frazier Boyd Settlement [WMIMAN-IWOVRIC.FID1091653]

Sorry for the delay in getting back to you, Chuck. Yes, you are correct. If settlement negotiations fail, the next step would be for EPA to recommend that DOJ file a lawsuit. Since EPA has already referred the matter, DOJ is essentially already at the table so the case can readily pivot from administrative to judicial. We would not return to Dispute Resolution.

If your client is interested in withdrawing from Dispute Resolution, I request that you put that in writing and we can begin settlement negotiations. To that end, we are hoping to get you a counteroffer by the middle of November.

Thank you,
Pam

Pamela J. Lazos

Senior Assistant Regional Counsel
US EPA Mid-Atlantic Region

Phone 215-814-2658

Email lazos.pamela@epa.gov



From: James, Charles E. <cjames@williamsmullen.com>
Sent: Friday, October 27, 2023 11:39 AM
To: Lazos, Pamela <Lazos.Pamela@epa.gov>
Subject: Boyd Farms/Frazier Boyd Settlement [WMIMAN-IWOVRIC.FID1091653]

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Pam,

Thanks for your time yesterday. Both parties are interested in resolving this matter and recognize that to do that we can and should terminate the dispute resolution process and move forward with settlement. While I don't anticipate this happening, should we not reach a settlement with EPA/DOJ, I understand that we'd not go back to dispute resolution, but EPA would ask DOJ to file a complaint and we'd litigate the matter. This would essentially put us where we were over a year ago. So long as Mr. Boyd doesn't waive any of his rights or options and I've accurately characterized the matter, I'm glad to recommend we proceed with settlement discussions.

Thanks,
Chuck

Charles “Chuck” E. James, Jr
Attorney
T 804.420.6529 | C 804.512.3344
[email](#) | [v-card](#) | [website](#) | [LinkedIn](#)

Williams Mullen Center | 200 South 10th Street, Suite 1600 | P.O. Box 1320 (23218) | Richmond, VA 23219

NOTICE: Information contained in this transmission to the named addressee is proprietary and is subject to attorney-client privilege and work product confidentiality. If the recipient of this transmission is not the named addressee, the recipient should immediately notify the sender and destroy the information transmitted without making any copy or distribution thereof.

Williams Mullen Security Disclaimer, This message originated from an external source.