

From: [Sainsbury, Walter](#)
To: [Maples, Karen](#)
Subject: FW: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL
Date: Tuesday, September 22, 2026 4:49:00 PM

Hey Karen,
Please see the email below with proof of service.

Thanks,

Walter S. M. Sainsbury
Assistant Regional Counsel
Office of Regional Counsel
New York Caribbean Superfund Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
NY, NY 10007-1866
sainsbury.walter@epa.gov
Office: 212-637-3177
Fax: 212-637-3104

From: Mitchell Ashkenaz <Mitchell.Ashkenaz@fedexfreight.com>
Sent: Tuesday, September 22, 2026 3:27 PM
To: Sainsbury, Walter <sainsbury.walter@epa.gov>; Steven Chaney <steven.chaney@fedexfreight.com>
Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>
Subject: Re: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

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

Received, thanks very much.

Mitch Ashkenaz | Senior Managing Attorney – Regulatory Affairs
FedEx Freight | mobile 901.607.6720
8285 Tournament Drive, Memphis, TN 38125

From: Sainsbury, Walter <sainsbury.walter@epa.gov>
Sent: Tuesday, September 22, 2026 2:18 PM
To: Mitchell Ashkenaz <Mitchell.Ashkenaz@fedexfreight.com>; Steven Chaney <steven.chaney@fedexfreight.com>
Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>
Subject: [EXTERNAL] RE: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

Mitchell and Steven,

Please find attached the CAFO executed by EPA, the Regional Judicial Officer, and sent for filing with the Regional Hearing Clerk. I will send you a "filed" version once I receive it. FedEx will then have 30 days from the filing date to make the payment. This email constitutes service under the terms of the order.

Thanks,

Walter S. M. Sainsbury
Assistant Regional Counsel
Office of Regional Counsel
New York Caribbean Superfund Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
NY, NY 10007-1866
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Office: 212-637-3177
Fax: 212-637-3104

From: Mitchell Ashkenaz <Mitchell.Ashkenaz@fedexfreight.com>

Sent: Monday, September 14, 2026 11:49 AM

To: Sainsbury, Walter <sainsbury.walter@epa.gov>; Steven Chaney
<steven.chaney@fedexfreight.com>

Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>

Subject: Re: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES
ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

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All,

Please see attached CAFO as executed by FedEx Freight. Please send a mutually executed copy whenever convenient and keep us updated on status of order entry.

Thanks again,

Mitch Ashkenaz | Senior Managing Attorney – Regulatory Affairs
FedEx Freight | mobile 901.607.6720
8285 Tournament Drive, Memphis, TN 38125

From: Sainsbury, Walter <sainsbury.walter@epa.gov>

Sent: Tuesday, September 8, 2026 3:27 PM

To: Mitchell Ashkenaz <Mitchell.Ashkenaz@fedexfreight.com>; Steven Chaney
<steven.chaney@fedexfreight.com>

Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>

Subject: [EXTERNAL] RE: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

Mitchell,

Attached for FedEx's signature is the CAFO resolving the violation of CERCLA section 103 that occurred on July 16, 2025. The requested change that FedEx made to the CAFO was accepted. The only change made by the government from the subsequent draft was to lower case the spelling of "seventeen thousand dollars" in Paragraph 22. Please review and sign the order where appropriate and then return to me via email. If you have any questions or would like to discuss further, please feel free to contact me. I am available until Thursday and then will be away until the 17th. If something comes up during that time, please reach out to either Jean or Ray.

Regards,

Walter S. M. Sainsbury
Assistant Regional Counsel
Office of Regional Counsel
New York Caribbean Superfund Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
NY, NY 10007-1866
sainsbury.walter@epa.gov
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Fax: 212-637-3104

From: Mitchell Ashkenaz <Mitchell.Ashkenaz@fedexfreight.com>
Sent: Friday, August 14, 2026 10:08 AM
To: Sainsbury, Walter <sainsbury.walter@epa.gov>; steven.chaney@fedex.com; Steven Chaney <steven.chaney@fedexfreight.com>
Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>
Subject: Re: FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

Some people who received this message don't often get email from mitchell.ashkenaz@fedexfreight.com. [Learn why this is important](#)

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Good Morning Walter,

Please see attached draft CAFO with one minor revision to facts section and contact information completed. If we missed any information needed, please let us know.

We understood that the CAFO is subject to additional government review. If the penalty

or terms change, we ask for additional opportunity to discuss and review.

All the best,

Mitch Ashkenaz | Senior Managing Attorney – Regulatory Affairs
FedEx Freight | mobile 901.607.6720
8285 Tournament Drive, Memphis, TN 38125

From: Sainsbury, Walter <sainsbury.walter@epa.gov>
Sent: Thursday, July 30, 2026 8:13 AM
To: steven.chaney@fedex.com <steven.chaney@fedex.com>; Steven Chaney
<steven.chaney@fedexfreight.com>; Mitchell Ashkenaz
<Mitchell.Ashkenaz@fedexfreight.com>
Cc: Klimcsak, Raymond <Klimcsak.Raymond@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>
Subject: [EXTERNAL] FedEx Draft Consent Agreement and Final Order -- FOR SETTLEMENT
PURPOSES ONLY/SUBJECT TO FURTHER GOVERNMENT REVIEW AND APPROVAL

Steven and Mitch,

Please find attached the draft Consent Agreement and Final Order (“CAFO”) to resolve the violation of CERCLA Section 103, 42 U.S.C. § 9603, related to the release that occurred at the FedEx facility in Montgomery, New York on July 16, 2025. The draft CAFO contains the revised settlement figure of \$17,000 that we are willing to recommend as the final penalty figure. The proposed penalty figure is based upon FedEx’s cooperation and willingness to settle this violation. Both the CAFO and the proposed penalty are subject to further government review and approval and are being offered for settlement purposes only. You will note that there are a couple of places in the CAFO where we need FedEx to fill in its preferred point of contact. Please review the document and provide a response and any proposed edits by **August 14th**. If you would like to discuss further, please let us know.

Regards,

Walter S. M. Sainsbury
Assistant Regional Counsel
Office of Regional Counsel
New York Caribbean Superfund Branch
U.S. Environmental Protection Agency, Region 2

290 Broadway, 17th Floor

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sainsbury.walter@epa.gov

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