

## Whitehead, LaDawn

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**From:** Weidner, Lori  
**Sent:** Friday, June 27, 2014 11:48 AM  
**To:** Whitehead, LaDawn  
**Cc:** Haile, Linda  
**Subject:** RE: Message from "R5-R19004"

Thanks LaDawn! According to the document #, the receivable should be a fines and penalties receivable. However, the order/ payment language in the document mentions a site ID and deposit into either the Special Account or the Trust fund.

I want to ensure it is established within the required days. I will establish this receivable as the document bill number directs ( fines and penalties- HSFP68) and if the receivable should be different, please let me know.

Lori L. Weidner  
US-EPA-CFC  
Superfund Regions 1,5,7  
work: 513-487-2125  
fax: 513-487-2063  
weidner.lori@epa.gov  
CINWD\_AcctsReceivable@epa.gov

-----Original Message-----

**From:** Whitehead, LaDawn  
**Sent:** Friday, June 27, 2014 12:36 PM  
**To:** Weidner, Lori  
**Subject:** FW: Message from "R5-R19004"

LaDawn Whitehead  
Management Analyst  
Office of Enforcement and Compliance Assurance U.S. EPA - Region 5  
77 West Jackson Blvd  
Chicago, IL 60604  
(312) 886-3713

-----Original Message-----

**From:** R5-R19004@epa.gov [mailto:R5-R19004@epa.gov]  
**Sent:** Friday, June 27, 2014 11:19 AM  
**To:** Whitehead, LaDawn; Edwards, Blake; CINWD AcctsReceivable; Greene, Tywana  
**Subject:** Message from "R5-R19004"

This E-mail was sent from "R5-R19004" (Aficio MP 6001).

Scan Date: 06.27.2014 11:19:04 (-0500)  
Queries to: R5-R19004@epa.gov

## Whitehead, LaDawn

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**From:** Haile, Linda  
**Sent:** Friday, June 27, 2014 11:51 AM  
**To:** Weidner, Lori  
**Cc:** Whitehead, LaDawn  
**Subject:** FW: Message from "R5-R19004" Grand Traverse Site 053G  
**Attachments:** 20140625150728549.pdf

See comments from the attorney

-----Original Message-----

**From:** Branigan, Terry  
**Sent:** Friday, June 27, 2014 10:27 AM  
**To:** Haile, Linda  
**Cc:** Boehr, Craig  
**Subject:** FW: Message from "R5-R19004" Grand Traverse Site 053G  
**Importance:** High

Hi Linda,

The Agreement is not a fines and penalties document. CERCLA provides a windfall lien on property where EPA incurs expenses for response costs. CERCLA also authorizes EPA to make agreements like the one attached to this email to waive the windfall lien in exchange for payment of a portion of unrecovered response costs. So I think the Agreement should be regarded as a cost recovery document. This understanding is consistent with the national Agency model agreement (on which the attached agreement was based) that requires payments under the agreement to be placed in Special Accounts.

Craig, please let us know if you disagree. (Linda, Craig is the HQ contact on Windfall Liens.)

Thanks,

Terry

Terence Branigan  
Associate Regional Counsel (C-14J)  
U.S. EPA/Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604  
(312) 353-4737 phone  
(312) 385-5500 fax  
branigan.terry@epa.gov

-----Original Message-----

**From:** Haile, Linda  
**Sent:** Friday, June 27, 2014 9:12 AM  
**To:** Branigan, Terry

Subject: FW: Message from "R5-R19004" Grand Traverse Site 053G  
Importance: High

Hi Terry,

I believe this is the Agreement you spoke of in your voicemail to me on Wednesday. The finance center has a couple of questions. The Agreement appears to be a cost recovery document, but it was forwarded as a fines and penalties document. Fines and Penalties payments usually are not placed in special accounts. Please let me know if this is a cost recovery agreement and I will provide the finance center with the correct accounting information.

Thanks,

Linda M. Haile, Team Leader  
Cost Accounting & Analysis Team  
U.S. EPA Region 5 Comptroller Branch  
312-353-4175 Voice  
312-385-5472 Fax  
haile.linda@epa.gov

-----Original Message-----

From: Weidner, Lori  
Sent: Thursday, June 26, 2014 9:08 AM  
To: Haile, Linda  
Subject: FW: Message from "R5-R19004"

Hi Linda,

Can you please take a look at this CERCLA Agreement for Release and Waiver of Lien. It appears a BD document # was assigned ( see the hand written note on page 1) and that document # represents a fines and Penalties ( HSFP68) receivable. However, the language in the document mentions a site ID 053G and directs the funds to be placed into the Special Account for site 053G or to be placed into the Trust Fund ( HSCR68).

I can use the BD # that is written on the 1st page but use the correct accounting information if you want. Or we can assign another Bd # that reflects the correct type of receivable. If it is not a fines and penalties billings, can you verify if the funds should be placed into the SA for site 053G or should they be placed into the trust ( HSCR68)? The language allows for either placement into the SA or the trust ( see page 6 of 19).

Lori L. Weidner  
US-EPA-CFC  
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work: 513-487-2125  
fax: 513-487-2063  
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CINWD\_AcctsReceivable@epa.gov

## Whitehead, LaDawn

---

**From:** Weidner, Lori  
**Sent:** Friday, June 27, 2014 12:12 PM  
**To:** Haile, Linda  
**Cc:** Whitehead, LaDawn  
**Subject:** RE: Message from "R5-R19004" Grand Traverse Site 053G

Thanks Linda,

That helps. I will establish this as a cost recovery receivable, deposited into the Special Account for Site 053G, amount :\$15,000.00 as Bill no:

2751429S4011

LaDawn, can you change your bill # to the above?

Lori L. Weidner  
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work: 513-487-2125  
fax: 513-487-2063  
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CINWD\_AcctsReceivable@epa.gov

-----Original Message-----

**From:** Haile, Linda  
**Sent:** Friday, June 27, 2014 12:51 PM  
**To:** Weidner, Lori  
**Cc:** Whitehead, LaDawn  
**Subject:** FW: Message from "R5-R19004" Grand Traverse Site 053G

See comments from the attorney

-----Original Message-----

**From:** Branigan, Terry  
**Sent:** Friday, June 27, 2014 10:27 AM  
**To:** Haile, Linda  
**Cc:** Boehr, Craig  
**Subject:** FW: Message from "R5-R19004" Grand Traverse Site 053G  
**Importance:** High

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Craig, please let us know if you disagree. (Linda, Craig is the HQ contact on Windfall Liens.)

Thanks,

Terry

Terence Branigan  
Associate Regional Counsel (C-14J)  
U.S. EPA/Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604  
(312) 353-4737 phone  
(312) 385-5500 fax  
branigan.terry@epa.gov

-----Original Message-----

From: Haile, Linda  
Sent: Friday, June 27, 2014 9:12 AM  
To: Branigan, Terry  
Subject: FW: Message from "R5-R19004" Grand Traverse Site 053G  
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Thanks,

Linda M. Haile, Team Leader  
Cost Accounting & Analysis Team  
U.S. EPA Region 5 Comptroller Branch  
312-353-4175 Voice  
312-385-5472 Fax  
haile.linda@epa.gov

-----Original Message-----

From: Weidner, Lori

Sent: Thursday, June 26, 2014 9:08 AM

To: Haile, Linda

Subject: FW: Message from "R5-R19004"

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Lori L. Weidner

US-EPA-CFC

Superfund Regions 1,5,7

work: 513-487-2125

fax: 513-487-2063

weidner.lori@epa.gov

CINWD\_AcctsReceivable@epa.gov

## Whitehead, LaDawn

---

**From:** Weidner, Lori  
**Sent:** Friday, June 27, 2014 12:23 PM  
**To:** Haile, Linda  
**Cc:** Whitehead, LaDawn  
**Subject:** RE: Message from "R5-R19004" Grand Traverse Site 053G- CORRECTION ON THE BILL NO

CORRECTION:

Bill no is 2751429S4012.

Lori L. Weidner  
US-EPA-CFC  
Superfund Regions 1,5,7  
work: 513-487-2125  
fax: 513-487-2063  
weidner.lori@epa.gov  
CINWD\_AcctsReceivable@epa.gov

-----Original Message-----

**From:** Weidner, Lori  
**Sent:** Friday, June 27, 2014 1:12 PM  
**To:** Haile, Linda  
**Cc:** Whitehead, LaDawn  
**Subject:** RE: Message from "R5-R19004" Grand Traverse Site 053G

Thanks Linda,

That helps. I will establish this as a cost recovery receivable, deposited into the Special Account for Site 053G, amount :\$15,000.00 as Bill no:

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LaDawn, can you change your bill # to the above?

Lori L. Weidner  
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-----Original Message-----

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**Sent:** Friday, June 27, 2014 12:51 PM

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See comments from the attorney

-----Original Message-----

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