

March 25, 2020

Via Electronic Mail (mnance@idem.in.gov)

Mark A. Nance
Indiana Department of Environmental Management
Voluntary Remediation Program
100 N. Senate Avenue, IGCN 1101
Indianapolis, Indiana 46204-2251

Re: Request for Temporary Suspension of Certain VRP Work
VRP Project #s 608071, 608072 & 6180601
2302 & 2400 Taylor Street, Ft. Wayne, Indiana

Dear Mark:

On behalf of Valbruna Slater Steel Corporation and Fort Wayne Steel Corporation (collectively “Valbruna”), we respectfully request to temporarily suspend upcoming sampling work associated with the above-referenced projects. In light of this unprecedented COVID-19 pandemic, it is not currently safe or practical to allow third party contractors on site to perform sampling.

As a Northern Italy-based company, Valbruna has witnessed firsthand the rapid increase in COVID-19 cases and their tragic consequences. Valbruna’s Italian facilities are temporarily shuttered because of the pandemic, and the company understandably wants to take every reasonable step to protect its employees and their families in Indiana. Valbruna remains fully committed to performing the work required under the VRP projects and will restart those activities once it is safe to do so.

On March 23, 2020, the Governor of Indiana issued the Stay-At-Home Order, EO 20-08. This Order states that unless you work for an essential business or are doing an essential activity, you must stay home. We respectfully submit that quarterly sampling and similar activities are not essential in the short run and note that keeping manufacturing facilities in production is considered essential under EO 20-08. In addition, the Force Majeure clause (Section 13) in each VRA likely applies to this pandemic, especially in light of the resulting “decrees of governmental bodies.” By way of information, the U.S. Army Corps of Engineers has recently notified Valbruna that it will be postponing its upcoming FUSRAP site characterization work because of the pandemic.

Based on the foregoing, we respectfully request that normal sampling be temporarily suspended until this crisis is under control. We greatly appreciate your consideration of this request and ask that IDEM issue a written extension consistent with the VRA’s terms for this purpose. Please stay

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healthy and safe and help Valbruna do the same for its employees and families. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. L. Hatchett", with a stylized flourish at the end.

David L. Hatchett

Cc: Valter Viero