

*Via Electronic Mail*

May 23, 2024

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Doug Petroff  
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Federal Programs Section  
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Email: [dpetroff@idem.IN.gov](mailto:dpetroff@idem.IN.gov)

**Re: Response to USEPA's Letter, dated 13 May 2024  
Summary of April 11, 2024, Meeting about the OU2 Remedial Investigation  
USS Lead Superfund Site, Operable Unit 2, East Chicago, Indiana**

Dear Ms. Patterson and Mr. Petroff:

We appreciated the opportunity to discuss many of the remaining issues with the USS Lead OU2 remedial investigation (RI) at your office on April 11, 2024. We thought the in-person meeting was very productive. We were expecting to schedule another in-person meeting to discuss the issues we did not have time to address and then develop a path forward together. We were surprised to receive your letter dated May 13, 2024. We believe there are several outstanding issues that need to be clarified before we can comply with the demands in your letter.

Although there was some discussion about how to address the contamination in the southern wetlands at the Site, the last portion of the USS Lead property not addressed under the RCRA Corrective Action program, we would dispute the characterization that it was USS Lead that suggested an early action. We did agree, however, that the topic deserved further discussion and exploration in our next meeting. As USEPA itself noted, there are many technical and legal issues associated with any early action. USS Lead will need to talk through these issues with USEPA and IDEM before we can assess the merits of an early action and commit to presenting a conceptual proposal.

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We were able to discuss several of the remaining site characterization and risk assessment issues during our meeting. However, we did not complete these discussions and we will need additional clarification of these issues before we are able to submit a revised Quality Assurance Project Plan with the new Data Quality Objectives and an addendum to the Field Sampling Plan. USS Lead requests another meeting to discuss these issues so we can prepare submittals that address your concerns.

We would appreciate the opportunity to discuss these issues with USEPA and IDEM at an in-person meeting as soon as practicable. We are requesting that you hold in abeyance the scheduling requirements specified in your letter until we can meet again in person and complete our discussions.

If you have questions regarding this letter or related project matters, please contact me or the Project Coordinator (Tim Barber) at 216-526-2965. Thank you for your consideration of these requests.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Norman Johnson".

Norman Johnson, Vice-President  
U.S. Smelter and Lead Refinery, Inc.

cc (via email):

Mary Gade, Esq.  
Tim Barber, ERM  
Tom O'Connell, ERM  
Mike Baum, Mueller Industries  
Cathleen Martwick, Esq., USEPA  
Jamie Getz, Esq., USEPA  
Steven Kaiser, Esq., USEPA