



January 26, 2024

Brett Harris
State of Tennessee
Department of Environment & Conservation
Division of Solid Waste Management
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Ave. 14th Floor
Nashville, Tennessee 37243

Via E-mail and Regular USPS

Re: TDEC's December 15, 2023 Letter
Interim Measures Work Plan
Cypress Garden Apartments

Dear Mr. Harris:

In response and follow up to the above referenced letter and our subsequent conference call on January 12, 2024 with TDEC staff, Velsicol would like to request a meeting to continue our discussion of this matter. Velsicol has reviewed historical files related to Cypress Creek and particularly Cypress Garden Apartments. This review is continuing. Also, as discussed on the January 12th call, TDEC DSWM staff were going to discuss this matter with DOR staff, who were involved in the recent actions at Cypress Garden Apartments.

Specific topics which Velsicol would like to discuss with you are:

- Velsicol's September 21, 2023 bankruptcy filing and plan of reorganization submitted to the court and its impact on the State's requested actions at Cypress Garden Apartments.
- The current property owner (assume to be UE Cypress Gardens, LLC) participation in the TDEC Voluntary Cleanup, Oversight, and Assistance Program VOAP – the status of this work which was conducted under TDEC's Division of Remediation oversight.
- Historical actions taken by Velsicol and others (i.e. sampling & remediation) at the property.
- Impact of the No Further Action (NFA) issued to Velsicol for Cypress Garden Apartments Soil Removal dated June 26, 2018.
- Impact of the CA 725 Current Human Exposures Under Control issued on September 24, 2019 on any future actions.

Please let me know a convenient time when we can set up a call/meeting to continue our discussions.

Regards

A handwritten signature in blue ink, appearing to read "G. Harvell", with a long horizontal flourish extending to the right.

George Harvell
Velsicol Chemical LLC

cc

Dave Winchell - WSP