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From: Steve Alder
To: ddragoo@swlaw.com
Date: 1/25/2007 2:39:23 PM
Subject: Programmatic Agreement review

Denise, please forward this to your client and reply as soon as possible. I will call to alert your office to the urgency of the request. thanks

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CC: Jerriann Ernstsens; Mary Ann Wright

Dear Ms. Dragoo and Mr. Marshall,

We are diligently trying to meet the March 8th timeline that you have requested. We sent the Programmatic Agreement and Memorandum of Agreement to your offices on Monday afternoon January 22nd for your review and comments. Jerriann Ernstsens also discussed the need for a prompt review with Jay Marshall on Monday afternoon. Pam Grubaugh-Littig contacted Denise Dragoo on both January 24th and January 25th letting her know of this importance.

Rather than wait for your response and possible needs to revise the Programmatic Agreement, we could proceed by removing UEI as a signatory and making compliance with the PA a condition of the permit. Since the March 8th timeline is primarily the result of insistence by UEI for a prompt review we would appreciate your immediate reply as to UEI's preference. If we do not receive a reply requesting additional time or approval of the documents by 5:00 PM today, the Division will remove UEI as signatories of these documents. We will then be able to proceed with the requirements of Section 106 and try to meet the March 8th timeline.

We were very hopeful that UEI would want to participate at signees, but please try to understand that we are doing everything possible to comply with the constraints that have been imposed by UEI.