

Exhibit 1

From: [Robert Feild](#)
To: [Donald Bahnke](#)
Cc: [Bryant Burnett](#); [Daniel Garvey](#); [Debbie Kring](#); [DudleyWT@bv.com](#); [Eric Nold](#); [Gene Gunn](#); [Joe Davis](#); [Robert Dona](#); [Steven Sanders](#)
Subject: Re: Treatability Study and re testing properties
Date: 11/19/2004 09:04 AM

I hope everyone is deleting these types of messages after they are received, since they will be releasable, if saved, for the next FOIA from Patton-Boggs. Don, are you suggesting that all of the samples collected prior to August are biased high because of the possible presence of lead paint? Bob

▼ [Donald Bahnke/SUPR/R7/USEPA/US](#)

**Donald
Bahnke/SUPR/R7/USEPA/US**

11/18/2004 12:06 PM

To: Bryant Burnett/SUPR/R7/USEPA/US@EPA
cc: Bryant Burnett/SUPR/R7/USEPA/US@EPA, Debbie Kring/OEP/R7/USEPA/US@EPA, Gene Gunn/SUPR/R7/USEPA/US@EPA, Robert Feild/SUPR/R7/USEPA/US@EPA, Steven Sanders/CNSL/R7/USEPA/US@EPA, Daniel Garvey/SUPR/R7/USEPA/US@EPA, Eric Nold/SUPR/R7/USEPA/US@EPA, Joe Davis/SUPR/R7/USEPA/US@EPA, Robert Dona/SUPR/R7/USEPA/US@EPA, DudleyWT@bv.com

Subject: Treatability Study and re testing properties

Hi Bryant

Eric called me this morning about some of the treatability study properties. He indicated that you are having B&V confirm the high lead concentrations that were found at these properties and sometimes the lead concentrations are much lower than the original measurement.

I told Eric that, although I have not looked at the results for the treatability study properties, I suspect that many of the concentrations that are high are likely to be lab results from properties that we sampled before mid August 2004. If you recall from our coordination meetings, this is when we stopped sending split samples to the lab for confirmation instead of sending the XRF sample bag which contained the same sieved soil that was screened by the XRF analyzer.

Eric indicated that the re testing that B&V has done on the TS properties has resulted in one quadrant of one house to be below 400 ppm. He wanted to know how he should explain this to the homeowner. I suggested that he raise this issue during an Omaha Lead coordination meeting.

I reassured Eric that the large differences between the first and second tests of the TS properties are unlikely to be a problem across the board of all property results. Laboratory samples collected/analyzed before mid August 2004 are predisposed to having lead paint in them. Selecting properties with high lead concentrations (was it greater than 2,500?) predisposes the selected group to have more homes with lab results that cannot be confirmed by a

second sample which is sieved prior to analysis.

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