

Exhibit 12 – Letter from FBI informing US EPA of cleanup plan

**DEPARTMENT OF JUSTICE**

**FEDERAL BUREAU OF INVESTIGATION**



## **DELETION CODES**

- H. THE LAW ENFORCEMENT PRIVILEGE - THE DISCLOSURE OF THIS INFORMATION WOULD IMPEDE OR IMPAIR THE EFFECTIVENESS OF AN INVESTIGATIVE TECHNIQUE, METHOD OR PROCEDURE OF THE FBI.
- I. INFORMATION, THE DISCLOSURE OF WHICH WOULD DIVULGE OPINIONS, RECOMMENDATIONS, AND ADVICE GENERATED IN THE DECISION-MAKING PROCESS OF THE GOVERNMENT.
- J. INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED BY FEDERAL STATUTE (WITH CITATION TO THE APPROPRIATE STATUTE).
- K. INFORMATION PROTECTED UNDER THE ATTORNEY-CLIENT PRIVILEGE.
- L. INFORMATION OR MATERIAL PROTECTED UNDER THE WORK PRODUCT DOCTRINE.
- M. INFORMATION WHICH IS NOT RESPONSIVE.
- N. INFORMATION ORIGINATING WITH ANOTHER GOVERNMENT AGENCY WHICH MUST BE REFERRED TO THAT AGENCY FOR REVIEW. THE USE OF THIS CODE DOES NOT WAIVE ANY APPLICABLE PRIVILEGE WHICH MAY BE APPLIED BY THE ORIGINATING AGENCY.
- O-1. DELETIONS NOT MADE BY CIVIL DISCOVERY REVIEW UNIT.
- P. THE PRIVACY ACT OF 1974, 5 U.S.C. § 552a
- P-1 INFORMATION, THE DISCLOSURE OF WHICH WOULD BE AN UNWARRANTED INVASION OF PERSONAL PRIVACY.
- S. PERSONAL IDENTIFYING INFORMATION RELATED TO LAW ENFORCEMENT PERSONNEL AND THEIR FAMILY MEMBERS, THE DISCLOSURE OF WHICH IS ROUTINELY GUARDED FOR SECURITY REASONS.



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

March 7, 2008

(P)

Regional Administrator  
United States Environmental Protection Agency  
Region 5  
77 W. Jackson Blvd  
Chicago, IL 60604

Dear (P)

This letter notifies your office of actions being taken by the Federal Bureau of Investigation (FBI) regarding the FBI Chicago Division Regional Training Facility in North Chicago, Illinois. This facility is under the jurisdiction, custody and control of the FBI and provides firearms and other training to a variety of federal, state, and local agencies, including various U.S. military branches. The facility also includes an adjacent geographic area in Lake Michigan, the boundaries of which are specified in 33 C.F.R. § 334.830.

Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604, Executive Order 12,580, and the National Contingency Plan, 40 C.F.R. pt. 300 (NCP), the FBI has initiated an evaluation of environmental conditions at the facility.

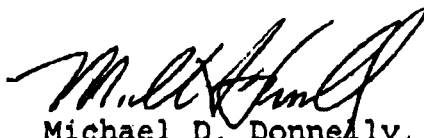
The FBI's evaluation of the facility is in its preliminary stages and, consistent with the NCP, will determine whether and to what extent removal or remedial action is required at the facility. In July 2006, an FBI environmental contractor completed a Phase I environmental site assessment of the facility. Based on the recommendations in that assessment, beginning in October 2007, additional investigation and sampling was undertaken and currently continues. The FBI anticipates that information from its Phase I report and analytical sampling data gathered to date will be used to prepare an in-depth assessment of environmental conditions at the facility.

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As lead agency for any response action, and in accordance with its obligations under CERCLA Section 120, 42 U.S.C. § 9620 and the NCP, the FBI will coordinate with EPA and other agencies as appropriate in this matter. In that regard, we note that, in January 2008, the FBI contacted the Illinois Environmental Protection Agency concerning the FBI's evaluation of conditions at the facility.

Thank you for your attention to this matter and please contact me with any questions or concerns.

Sincerely,



Michael D. Donnelly, P.E.  
Deputy Assistant Director  
Facilities and Logistics  
Services Division