



Re: Black Leaf Site - Access 
Marianne Lodin to: steve brooks

08/19/2011 09:29 AM

Mr. Brooks,

That is correct, we granted an extension to provide access to Wednesday due to the fact that you were out of the office, as I noted in my original email. You mentioned you would PDF the document and email it Wednesday. We do not use fax often, but if that is how you wish to provide a copy until the original is received by mail, you can send it to 404-562-9487. Otherwise, it can be scanned and emailed to me. I will acknowledge receipt either way and upon receiving the original by mail.

Regarding your clients' claim of innocence, I understand that is your position, but the EPA has made no such determination. As a current property owner under CERCLA Section 104, your clients are potentially responsible parties and are encouraged to cooperate in the Agency's actions. To that end, please let us know whether your clients will be able to secure the property.

Best,
Marianne

Marianne Ortiz Lodin
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steve brooks

Ms Lodin what is your purpose here?

08/18/2011 07:09:50 PM

From: steve brooks <northstarlegal@yahoo.com>
To: Marianne Lodin/R4/USEPA/US@EPA
Date: 08/18/2011 07:09 PM
Subject: Re: Black Leaf Site - Access

Ms Lodin

what is your purpose here?

you have a fax to your main office somewhere there (the main fax # taken off your website).

you were the one that said, "the next day when I would be back in the office would be fine" to reply

when I called you asking for your contact information.

It would help if you would put your personal fax number on your contact info. if you main fax is not the best one to use.



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you have a hard copy in the previous mail to you also.
I don't appreciate you wrongly trying to build a file against us.
recall, my clients are the innocent victims, not your adversaries.
if you want to work together, you won't repeat this game again. if you think you have an
issue, call me; you are probably wrong as now.
Steve Brooks

From: "Lodin.Marianne@epamail.epa.gov" <Lodin.Marianne@epamail.epa.gov>
To: northstarlegal@yahoo.com
Cc: Smith.Art@epamail.epa.gov; tony@insuraco.com
Sent: Thursday, August 18, 2011 5:36 PM
Subject: Black Leaf Site - Access

Good afternoon,

The EPA has requested access since August 9, 2011 from Louisville Industrial Park. Mr. Brooks informed me that signed access would be provided on Tuesday, August 16th. I was then informed that the EPA would be in receipt on Wednesday, August 17th. The EPA has still not received a signed access agreement.

As we have made clear, the EPA requires access to the site property to continue its evaluation and/or removal action. Under Section 104(e) of CERCLA, the EPA and its agents have express authority to acquire access to property where any hazardous substance, pollutant, or contaminant may be or has been generated, stored, treated, disposed of, or transported from or any facility or property where entry is necessary to determine the need for response or to effectuate a response action. Mr. Art Smith has provided your client with a copy of the access agreement on August 9, 2011. The EPA requests that your client cooperate in this action and sign said access agreement immediately. If Louisville Industrial Park chooses to remain uncooperative in providing the EPA with access to the site, we will need to pursue other options available to the Agency under CERCLA, including, but not limited to a unilateral administrative order.

Finally, the EPA needs to know whether your client will make the needed repairs to the gate and fence at the Site property in order to adequately secure the Site and prevent any risk of exposure. Please let me know if your client will make these repairs and when.

If you have any questions, please contact me. I look forward to your response.

Best,
Marianne

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