To: Fajardo, Juan[Fajardo.Juan@epa.gov]
From: Larry Silver
Sent: Mon 4/17/2017 6:30:04 PM
Subject: RE: Diamond Alkali - Maxus/Tierra Transition, Property Sale
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Working on it Juan

Larry Silver
lsilver@lssh-law.com

Direct: 215.239.9023

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From: Fajardo, Juan [mailto:Fajardo.Juan@epa.gov]
Sent: Monday, April 17, 2017 2:27 PM
To: Larry Silver <lsilver@lssh-law.com>; Flanagan, Sarah <Flanagan.Sarah@epa.gov>
Cc: Zizila, Frances <Zizila.Frances@epa.gov>; Wagner, Amelia <Wagner.Amelia@epa.gov>; Mike Anderson (mike_anderson@oxy.com) <mike_anderson@oxy.com>; Juan_Somoano@oxy.com; 'Frank_Parigi@oxy.com' <Frank_Parigi@oxy.com>
Subject: RE: Diamond Alkali - Maxus/Tierra Transition, Property Sale

Thank you Larry. Would you happen to have a point of contact at Tierra/Maxus regarding the sale of the property?

Juan

From: Larry Silver [mailto:lsilver@lssh-law.com]
Sent: Monday, April 17, 2017 2:23 PM
To: Flanagan, Sarah <Flanagan.Sarah@epa.gov>
Cc: Zizila, Frances <Zizila.Frances@epa.gov>; Wagner, Amelia <Wagner.Amelia@epa.gov>; Fajardo, Juan <Fajardo.Juan@epa.gov>; Mike Anderson (mike_anderson@oxy.com) <mike_anderson@oxy.com>; Juan_Somoano@oxy.com; 'Frank_Parigi@oxy.com' <Frank_Parigi@oxy.com>
Subject: RE: Diamond Alkali - Maxus/Tierra Transition, Property Sale

Sarah,

Thanks for inquiring. Here are the responses to your questions below:

- When will Glenn Springs assume the lead on the work that Tierra has been doing (OU1, NBSA)? If this is not yet known, please provide an approximate date.

The agreement transitioning work from the Debtors to Glenn Springs, including the work at OU1 and NBSA, was approved by Order of the Bankruptcy Court today. GSH will begin to conduct the work at these operable units forthwith.

- Who will be the project coordinator for each aspect of the work, if you know?

Juan Somoano of Glenn Springs will continue as overall Project Manager. Other Glenn Springs employees may be selected for certain OU's once the transition is complete. We will advise you of any changes in accordance with requirements of the relevant administrative orders.

- We also have recently learned that some or all property owned by Tierra may be purchased from the bankruptcy estate by a new owner. We appreciate any information you could provide about the sale of 80-120 Lister Avenue, such as when it may occur and the identity of the prospective buyer. We are interested to learn how the sale will affect the OU1 remedy and the actions that will be taken to comply with the requirements of the OU1 CD, including those

related to access, and also, the potential impact on design of the OU2 remedy (Glenn Springs may be planning to use the Lister Avenue property as a staging area for the pre-design investigation).

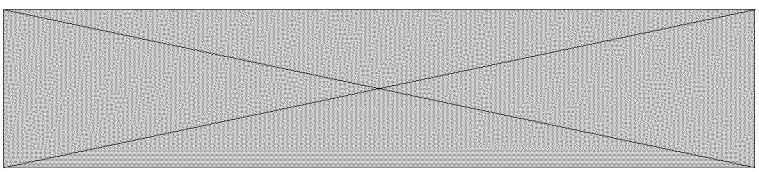
OCC is not yet privy to the terms pursuant to which Debtors Maxus and Tierra marketed the real property or the terms of the bids received. OCC has been informed by Debtors that any buyer would take property subject to existing administrative order requirements for access and other conditions, but we have not yet seen documentation to that effect. We also do not know when the Committee of Unsecured Creditors will take action on property sales, if any, and what decision the Bankruptcy Court will make regarding approval of any sales. We will keep you advised.

Regards,

Larry

Larry Silver
lsilver@lssh-law.com

Direct: 215.239.9023



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From: Flanagan, Sarah [mailto:Flanagan.Sarah@epa.gov]
Sent: Friday, April 14, 2017 4:21 PM
To: Larry Silver <lsilver@lssh-law.com>
Cc: Zizila, Frances <Zizila.Frances@epa.gov>; Wagner, Amelia <Wagner.Amelia@epa.gov>; Fajardo, Juan <Fajardo.Juan@epa.gov>
Subject: Diamond Alkali - Maxus/Tierra Transition, Property Sale

Larry,

We understand that the operations of Tierra Solutions, Inc. (Tierra) are winding down, possibly as early as in the next few weeks. To ensure smooth transition, could you provide us with the following information?:

- When will Glenn Springs assume the lead on the work that Tierra has been doing (OU1, NBSA)? If this is not yet known, please provide an approximate date.

- Who will be the project coordinator for each aspect of the work, if you know?

We also have recently learned that some or all property owned by Tierra may be purchased from the bankruptcy estate by a new owner. We appreciate any information you could provide about the sale of 80-120 Lister Avenue, such as when it may occur and the identity of the prospective buyer. We are interested to learn how the sale will affect the OU1 remedy and the actions that will be taken to comply with the requirements of the OU1 CD, including those related to access, and also, the potential impact on design of the OU2 remedy (Glenn Springs may be planning to use the Lister Avenue property as a staging area for the pre-design investigation).

Thanks, and have a great weekend.

-Sarah

Sarah P. Flanagan
Branch Chief, NJ Superfund Branch

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