MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS, RESPONSE AND COMMUNICATIONS

COMMITTEE ON ARMED SERVICES

Congress of the United States
House of Representatives
Washington, DC 20515

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WASHINGTON, DC 20515
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TUCSON, AZ 85711
(520) 881-3588

COCHISE COUNTY OFFICE 77
CALLE PORTAL, SUITEB-160
SIERRA VISTA, AZ 85635 (520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.) MR. JOHN L. STROBECK

Address: Ex. 6 - Personal Privacy City, State: Tucson, AZ Zip: 85715

Phone Number: Ex. 6 - Personal Privacy E-mail Address: Ex. 6 - Personal Privacy

Federal Agency Involved: ESA/EPA Social Security Number: Ex. 6 - Personal Privacy

Date and Place of Birth: Ex. 6 - Personal Privacy

Have you contacted another congressional office? Yes:____ No ✓ Who?_____

(For USCIS) Immigration Case Number / A#:_____

(For IRS) Tax Return Year (s) in Question: _____

(For OPM) Civil Service Claim Number:_____

(For VA/Military) Veterans Affairs Claim Number: _____

Branch of service: _____ Military Rank: _____ Dates of service: _____ - _____

SIGNATURE: _____ Date: 9-21-16

Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I am a partner in a piece of industrial property used as an automobile body shop. The building is 2,880 square feet with surrounding property. We purchased the property ten years ago and, at that time, a Phase One inspection (attached) was done on the property. The results of this Phase One inspection revealed no problems with anything to do with contamination of the property in any way. The firm that did the Phase One was an accredited firm with all the proper credentials to satisfy the ESA requirements.

We recently put up the building for sale at a loss due to the market being softer than at time of purchase. A very interested purchaser is attempting to purchase the building and is requesting an SBA loan through Chase Bank. Chase Bank hired Terracon Company to conduct the Phase One inspection. The inspector from Terracon, Derek Koller, met me at the property and conducted an inspection that lasted approximately ½ hour. At the time, there was no indication that there were any problems on the property. Mr. Koller said he would prepare a report and send it to the bank and people requesting the financing.

Approximately 10 days later, a **302 PAGE** report was received. This report went back to when the building was built in the early 1980's and requested actions be taken on items going back to that time and later.

The immediate action was to sample three areas in dirt for contamination, and two inside the building. This required bring in a drilling company to drill 50 feet into the soil and to take samples of the soil and test it. The cost for this testing, after over $2,000 for the inspection, was to be $8,000. (See attached Terracon synopsis.)

Attached is a report which I prepared as an answer to this unbelievable Phase One report. The main points are these:

1. The drilling inside the building is in areas that are concreted over and were that way when we purchased the building and were covered under the previous Phase One report.
2. Two of the areas outside were inspected by another accredited firm, EEC of Tucson, and no areas were able to be identified.
3. The third area was a place where a vehicle had parked and dripped some fluid into the dirt. With the people from EEC as witnesses, I dug out the dirt, which had the fluid approximately 1 inch into the dirt, and removed it, bagged it, and took it from the property. The Terracon report called for a hole of 50 feet to be drilled and the soil tested, even though the contamination, if it was so, only went in approximately 1 inch. (See attached photographs)

This process is a requirement of ESA and the EPA, which is stifling the ability to conduct business and property transactions. We are selling the property for $198,000. The cost of the inspection was to be $8,000 not counting the cost if they find some "contamination" and the thousands of dollars they would want to have to remediate the "supposed" problems.

These huge costs are totally unnecessary and are a result of the ESA requirements gone amuck. It needs to be investigated and changed to reasonableness.

Sincerely,

JOHN STROBECK

Print Name

9-21-16

Date