Message

From: Magnuson, Janet [Magnuson.Janet@epa.gov]
Sent: 5/28/2014 3:39:31 PM
To: McNeil, Richard [rmcneil@swlaw.com]
CC: Benson, Craig [Benson.Craig@epa.gov]; Whitenack, Craig [Whitenack.Craig@epa.gov]
Subject: RE: Orange County Metal Processing Site

Rick, thank you for your email and your client's commitment to perform the work.

Janet

From: McNeil, Richard [mailto:rmcneil@swlaw.com]
Sent: Tuesday, May 27, 2014 10:48 PM
To: Magnuson, Janet
Cc: Benson, Craig; Whitenack, Craig
Subject: RE: Orange County Metal Processing Site

Hi Janet, just to follow up on our exchange of emails below and our discussions during the interim, we are at a point now where we believe the project cost will be -- approximately -- $375,000 - $400,000.

This includes, principally, waste removal costs (plating line waste, vats, northern secondary containment wastes, wastewater treatment system waste, and miscellaneous wastes) of about $300,000 (same numbers given to Craig Benson previously but with the past costs and a contingency included), plus an additional $75,000 - $100,000 for concrete and soil characterization and disposal.

We are very appreciative of USEPA's continuing efforts to identify assets belonging to Mr. Reynoso that may be available to fund a portion of the removal work, as well as the contact the USEPA has initiated with Mr. Winter.

Based on the foregoing, the Baker/Frojen Trusts are prepared to commit to the removal work, as specified in the order, and appreciate the extension of time provided to them by the USEPA.

Kind regards,

Rick

From: Magnuson, Janet [mailto:Magnuson.Janet@epa.gov]
Sent: Wednesday, May 14, 2014 4:00 PM
To: McNeil, Richard
Cc: Benson, Craig; Whitenack, Craig
Subject: RE: Orange County Metal Processing Site

Rick, I talked to Craig Benson about timing and we would need to know by May 27th whether the work will be performed by one of the respondents.
It sounds like you should have more information next week, so please keep us updated.

I look forward to talking to you further,

Janet A. Magnuson
United States Environmental Protection Agency
Office of Regional Counsel, ORC-3

75 Hawthorne Street
San Francisco, CA 94105
415-972-3887 (Phone)
415-947-3570 (Fax)

From: McNeil, Richard [mailto:rmcneil@swlaw.com]
Sent: Tuesday, May 13, 2014 5:07 PM
To: Magnuson, Janet
Cc: Benson, Craig; Whitenack, Craig
Subject: RE: Orange County Metal Processing Site

Hi Janet, I just wanted to check in with you on a couple of items in the UAO.

As I believe Craig B. knows, we will be at the site tomorrow with the contractors to complete the inventory that was begun by EPA for the purpose of developing the work plan.

I wanted to let you know our progress in connection with a number of items in the order, which, briefly, are as follows.

Par. 21:

We are in the process of restricting access. This has involved purchasing and installing padlocks with keys only to be held by the authorized RP contractors (Dudek and Chem Pack) and the EPA and DTSC contractors (ENE and AMEC).

Pars. 22, 23 and 24

The work plan will be developed after this week's continuation of the inventory and sampling program. The work plan is due a week from tomorrow (May 21).

Par. 31

As we previously advised, the owner's contractor is Nicole Peacock at Dudek, 605 Third Street, Encinitas, CA 92024 (760-942-5147). In addition, Dudek is subcontracting with Roderic Buck at Chempack & Environmental ,3721 Karen Avenue, Long Beach, CA 90808 (213-309-4962).

Par. 32

This information will be submitted shortly.

Par. 39

The owners' irrevocable intent to comply remains contingent upon receipt of the final work plan and coordination with one other party and, for that reason, we request either an additional amount of time for this purpose or a conference under Par. 40 should the EPA believe that that would be a more suitable alternative. However, as mentioned above, we may well be in a position to advise further respecting this particular requirement next week.

Thank you and please do not hesitate to contact me should you have any questions.

Best,

Rick

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From: Magnuson, Janet [mailto:Magnuson.Janet@epa.gov]
Sent: Thursday, May 08, 2014 4:37 PM
To: david@davidpetersonmediation.com; McNeil, Richard
Cc: Benson, Craig; Whitenack, Craig
Subject: Orange County Metal Processing Site

Dear Messrs. Peterson and McNeal:

I am attaching a Unilateral Administrative Order, Action Memorandum and cover letter that was sent by overnight mail today to the Respondents for the Orange County Metal Processing Site in Fullerton, California.

I am sending the package to both of you by regular mail.

My contact information is listed below.

Sincerely,

Janet A. Magnuson
United States Environmental Protection Agency
Office of Regional Counsel, ORC-3
75 Hawthorne Street
San Francisco, CA 94105
415-972-3887 (Phone)
415-947-3570 (Fax)k