Message

From: Tuori, Thomas [ttuori@hselaw.com]
Sent: 9/20/2016 9:24:24 PM
To: Daly, Eric [Daly.Eric@epa.gov]
CC: sam [sam.talarico@cbintegrity.com]; Ludmer, Margo [ludmer.margo@epa.gov]; Horn, John [jhorn@hselaw.com]; 'Brian Stamm' [bgstamm@stammlaw.com]; Scholand, Gregory P. [gscholand@hselaw.com]
Subject: RE: 738 Upper Mountain Road-Talarico Bros. Building Corp Property [HSELAW-WORKSITE.FID662032]
Attachments: Abstract of Title - Talarico Bros. Parcel (115.08-1-27).PDF; Data Room Copy (EPA) - Upper Mountain Road Parcel Map.PDF; Oak Ridge Report.PDF; 1963 Aerial Photo -- pg 116 of EPA Site Inspection Report for Holy Trinity Cemetery.PDF

Hi Eric,

Thank you for getting back to me. I was just about to email you as follow-up to my voice message last week.

Yes, our law firm, Harter Secrest & Emery (HSE), has been authorized by Mr. Talarico to communicate with the EPA on behalf of the Talarico Bros. Building Corp. in this matter. Mr. Talarico can confirm this with an email to you and Margo if you'd like.

Yes, HSE is working with The Stamm Law Firm to investigate possible claims by property owners on Upper Mountain Road and in the Lewiston area (and other property owners in the Grand Island-Niagara Falls-Lewiston region) against the generators of the radioactive wastes and/or other parties who may have liability for the wastes.

I would like to talk to you and/or Margo at your convenience about the EPA's plans and schedule with respect to the Talarico Bros. Building Corp. property (and the other properties on Upper Mountain Road where radioactive wastes have been identified).

We (HSE) have set up an electronic data room that contains 12 documents pertaining to the Talarico Bros. Building Corp. property. Eight of the documents in the data room are from the EPA's investigation of the property in 2013/2014. We received those documents from the EPA in 2015 via the agency's response to a "generic" open-ended FOIA request we submitted in September 2013 regarding radioactive slag sites in the Niagara Falls area. The data room also includes four other documents that you may be interested in, all of which are attached to this email:

- An abstract of title for the Talarico Bros. Building Corp. property.
- A map showing the boundaries of the Talarico Bros. Building Corp. property and other properties on Upper Mountain Road listed in the "Oak Ridge report" from 1986.
- A copy of the Oak Ridge report.
- A 1963 aerial photo showing large stock piles of material on the Holy Trinity Cemetery in the footprint of what is now the "hot spot" at the Cemetery.

Do you need the documents from the EPA's previous investigation? If so, we will send a link to our data room.

Please let me know when you and/or Margo are available for a preliminary call and whether you are available to meet next week when you return to the Niagara Falls area.

Thanks again.

Tom

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From: Daly, Eric [mailto:Daly.Eric@epa.gov]
Sent: Tuesday, September 20, 2016 4:35 PM
To: Tuori, Thomas
Cc: sam; Ludmer, Margo
Subject: 738 Upper Mountain Road-Talarico Bros. Building Corp Property
Importance: High

Good Afternoon Mr. Tuori:

I received your voicemail regarding the Talarico Bros. Building Corp (TBBC) owned property. At this time, my program is just reviewing existing data from another EPA program and making initial contact with the resident at 738 Upper Mountain Road and the Talarico Bros. Building Corp Property.

I have been in contact with Sam Talarico (copied) and he did mention bringing in his attorney. I assume that is you. However, your phone message mentioned you not being actually retained by Talarico Bros. Building Corp. So I am a little confused on that. I have copied my site attorney, Margo Ludmer.

Lastly, I have been informed that Stamm Law Firm has approached residents of Upper Mountain Road, drafting a group lawsuit and performed assessment work. Are you involved with this group or working separately.

Thanks

Regards,

Eric

"We must, indeed, all hang together, or assuredly we shall all hang separately", Benjamin Franklin
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