Message

From: Jay Martino [jmartino@stagggroup.com]
Sent: 7/31/2015 1:03:29 PM
To: Daly, Eric [Daly.Eric@epa.gov]; Thomas Stagg [tstagg@stcwlaw.com]
CC: Gaughan, Daniel [Gaughan.Daniel@epa.gov]; Adolfo Carrion [ACarrion@stagggroup.com]; Brian Avello [bavello@stcwlaw.com]; Andrew Kazin [akazin@stcwlaw.com]
Subject: RE: Please Respond: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Eric,
The address for all three is 105 Kisco Avenue
Jay Martino

From: Daly, Eric [mailto:Daly.Eric@epa.gov]
Sent: Friday, July 31, 2015 8:44 AM
To: Thomas Stagg
Cc: Gaughan, Daniel; Adolfo Carrion; Jay Martino; Brian Avello; Andrew Kazin
Subject: Please Respond: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York
Importance: High

Good Morning:

Please let me know which tenant below goes with which address (95 Kisco, 105 Kisco, 107 Kisco

- 105 Mt. Kisco Associates LLC;
- NY Stone & Landscape Supply LLC; and
- Modern Building Products Division LLC (current tenant)

From: Thomas Stagg [mailto:tstagg@stcwlaw.com]
Sent: Thursday, July 30, 2015 7:18 PM
To: Daly, Eric
Cc: Gaughan, Daniel; acarrion@stagggroup.com; jmartino@stagggroup.com; Brian Avello; Andrew Kazin
Subject: RE: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Eric,

Thanks for forwarding the attached certificate; however, Stagg Group has no interest in the property. The Certificate Holders should be as follows:

- 105 Mt. Kisco Associates LLC;
- NY Stone & Landscape Supply LLC; and
- Modern Building Products Division LLC (current tenant)

Access to the property will not be permitted until we have proper insurance certificates.

Thanks.

Tom

Thomas E. Stagg
401 Franklin Avenue, Suite 300
Garden City, New York 11530
tstagg@stcwlaw.com | www.stcwlaw.com
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From: Daly, Eric [mailto:Daly.Eric@epa.gov]
Sent: Thursday, July 30, 2015 7:09 PM
To: Thomas Stagg
Cc: Gaughan, Daniel; acarrion@stagggroup.com; jmartino@stagggroup.com; Brian Avello; Andrew Kazin
Subject: RE: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Good Evening:

I apologize if you did not receive this. As I look back at my email records. This insurance document was forwarded to our attorney to be sent to you on July 13th. So if you received this previously, it would have come from Jim Doyle. The document is attached.

From: Thomas Stagg [mailto:tstagg@stcwlaw.com]
Sent: Thursday, July 30, 2015 6:44 PM
To: Daly, Eric
Cc: Gaughan, Daniel; acarrion@stagggroup.com; jmartino@stagggroup.com; Brian Avello; Andrew Kazin
Subject: RE: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Eric,

We have not been provided with any insurance information. The one email I have from Dan relates to access only.

Tom

Thomas E. Stagg

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From: Daly, Eric [mailto:Daly.Eric@epa.gov]
Sent: Thursday, July 30, 2015 6:41 PM
To: Thomas Stagg
Cc: Gaughan, Daniel; acarrion@stagggroup.com; jmartino@stagggroup.com; Brian Avello; Andrew Kazin
Subject: Re: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Good Evening. I will attempt to get a complete list tomorrow. There will be EPA officials, EPA contractors and subcontractors. The subs would be the radon specialists and the GeoProbe tech. As far as insurance, I thought Dan provided our contractor insurance info to both the Stagg Group and the Village?

Regards,

Eric

"We must, indeed, all hang together, or assuredly we shall all hang separately " , Benjamin Franklin
Eric M. Daly
On-Scene Coordinator/Radiological Response Specialist
US Environmental Protection Agency- Region II

ERRD/RPB/PPS
2890 Woodbridge Avenue
Edison, NJ 08837
daly.eric@epa.gov
732-321-4350

On Jul 30, 2015, at 5:13 PM, Thomas Stagg <tstagg@stcwlaw.com> wrote:

Eric,

Please advise what time you will arrive and provide the name and position/title of each person who will be present. Will there be any outside vendors on site or will all be with EPA?

Also, the tenant has asked what insurance is in place should there be damage to the leased premises or if someone is hurt due to you testing/assessment. Please advise.

Thanks.

Tom

Thomas E. Stagg

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From: Daly, Eric [mailto:Daly.Eric@epa.gov]
Sent: Thursday, July 30, 2015 4:12 PM
To: Gaughan, Daniel; acarrion@stagggroup.com; jmartino@stagggroup.com; Brian Avello; Thomas Stagg
Subject: RE: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York

Good Afternoon:

Our contractor and the GeoProbe subcontractor are working on the utility mark outs for the whole site (Three properties). Our locations for the soil boring samples will be dependent on the

mark outs and your feedback. Meaning, we have soil sample points from our Pre-Remedial Program on other parts of your property. We wanted to supplement that sampling with a few other locations. So exact locations of the soil borings will be determined next week…reviewing all available information in conjunction with Stagg Group/tenant recommendations.

Thanks

From: Daly, Eric
Sent: Tuesday, July 28, 2015 9:18 PM
To: Gaughan, Daniel; 'acarrion@stagggroup.com'; 'jmartino@stagggroup.com'; 'Brian Avello'; 'tstagg@stcwlaw.com'
Subject: USEPA Assessment at 105/107 Kisco Avenue, Mount Kisco, New York
Importance: High

Good Evening:

I wanted to reach out to the group and ensure we are all on the same page. Our assessment team will arrive at your property on August 3rd. We will be at the site (105/107 Kisco Avenue, 103 Kisco Avenue and the MTA property area) until Friday, August 7th. Some of the assessment activites can be planned specifically and some will have to be determined when we are at the site working with the property owners and the tenants. We want to maximize our resources/time while we minimize the inconvenience to you and your tenants.

Planned Tasks to be performed:

· Radon Charcoal Canister Sampling

o The radon canister sampling will be conducted within the interior spaces of the buildings on your property either Monday or Tuesday. Meaning the canisters will be dropped off on one of those days. Therefore, the canisters will be picked up on either Thursday or Friday depending on the drop off date. Those are the days we have the radon specialist subcontracted. I see that Thomas mentions a radon mitigation system. I can only assume that you have conducted your own radon sampling in the building and you are planning a remedy. **Do you have a schedule for this installation?** We would like to have our sampling conducted under the current conditions to also have "before" data.

· Radon/Thoron Survey

o The RAD7 Instrument is a survey instrument that detects radon and thoron

o We can use this instrument in different modes

§ Sniff mode is a short survey that will give us an idea if there are any increased levels of radon and thoron

§ If we see a sign of increased readings, we can put this insturment into survey mode and capture a longer survey results

§ We base our locations for this survey on the gamma scoping survey.

· Gamma Survey

o We will measure and grid out the ground floor of all the interior space of the buildings.

o We will be using three instruments to survey gamma radiation; the Ludlum 2241, Fluke Pressurized Ionization Chamber (PIC) and the Reuter Stokes 131 PIC (RSS-131).

§ The Ludlum 2241 is used to perform a gross scoping gamma survey of the area with readings on contact (about an inch from the ground). This is performed quickly and the gamma range will be given for a specific area. Any elevated gamma readings will assist us in survey/sampling with other techniques.

§ The Fluke PIC is used to delineate the gamma readings throughout the mapped out grid of the ground floor. Measurements will be taken at specific intervals at both the contact and waist (approximately 3 feet from the ground) levels.

§ Reuter Stokes 131 PIC (RSS-131) is a stationary PIC that accurately reads low level gamma. This instrument will be used in higher gamma areas identified by the other gamma instruments.

· Geo Probe Soil Sampling

o We will be collecting a few Geo Probe four feet deep soil samples. These samples will be sent to a laboratory for analysis. We will be concentrating on areas not addressed by our Pre-Remedial Program.

All of the survey and sampling will assist us in making any removal action decisions.

Please let me know if you have any questions or concerns. I believe we are set with access agreements. If that is not the case, please let me know what needs to be taken care of. Please feel free to pass onto your tenants. I will speak with anyone who needs to discuss the assessment activities. Dan is out of state at a training session. We are in contact but I am more accessible this week. Both Dan and I will be at the site next week.

Thanks for your cooperation.

Regards,

Eric

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

Eric M. Daly
On-Scene Coordinator/Radiological Response Specialist
US Environmental Protection Agency- Region II

ERRD/RPB/PPS
2890 Woodbridge Avenue
Edison, NJ 08837
daly.eric@epa.gov
732-321-4350

From: Thomas Stagg <tstagg@stcwlaw.com>
Date: July 25, 2015 at 11:28:51 AM EDT
To: "'Gaughan, Daniel'" <Gaughan.Daniel@epa.gov>
Cc: "acarrion@stagggroup.com" <acarrion@stagggroup.com>, "jmartino@stagggroup.com" <jmartino@stagggroup.com>, Brian Avello <bavello@stcwlaw.com>
Subject: Access to 105 Kisco Avenue, Mount Kisco, New York

Dan,

I received your voicemail yesterday in connection with your having accessed the site on Thursday, July 23rd, and that you conducted a site survey and met and spoke with Paul Carozza. You also mentioned in your voicemail that you are working with a colleague, Eric Daly, and would like access to the site again the week of August 3rd. Please let us know which day you would like to access the site so that arrangements can be made.

Please allow this to also confirm that arrangements are being made to install a radon mitigation system to reduce exposure levels.

Thanks.

Tom

Thomas E. Stagg

401 Franklin Avenue, Suite 300

Garden City, New York 11530

tstagg@stcwlaw.com | www.stcwlaw.com

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copy.

From: Gaughan, Daniel [mailto:Gaughan.Daniel@epa.gov]
Sent: Friday, July 10, 2015 2:38 PM
To: Doyle, James; Thomas Stagg
Cc: acarrion@stagggroup.com; Rotola, Joe; Wilson, Eric
Subject: RE: Access to 107 Kisco Avenue, Mount Kisco, New York

Dear Mr. Stagg,

EPA is also requesting access to the second property located 95 Kisco Ave in Mount Kisco, New York. A second consent for access form is attached indicating the second address and tax id number.

Regards,
Dan Gaughan

Dan Gaughan

On-Scene Coordinator, US EPA Region II

gaughan.daniel@epa.gov

732-906-6984 office

917-613-2153 cell

From: Doyle, James
Sent: Thursday, July 09, 2015 7:37 PM
To: tstagg@stcwlaw.com
Cc: acarrion@stagggroup.com; Rotola, Joe; Wilson, Eric; Gaughan, Daniel
Subject: Access to 107 Kisco Avenue, Mount Kisco, New York

Dear Mr. Stagg, EPA requests access from you (or any appropriately authorized individual) to your property located at 107 Kisco Ave in Mount Kisco, New York. Access is requested for non-invasive sampling activities that EPA would like to commence during the week of July 20th. If you have questions about the nature of the sampling activities we can set up a call to discuss. I appreciate that this is not a lot of advance notice, but we have availability and feel that the sampling activities will not be disruptive to the current uses of the property.

Attached is a simple consent for access form. Please review this and advise me if you are willing to provide access. I can be reached by reply email or at 212 637-3165.

[Ref#STC.16799]