Message

From: Ward-Willis, Nicholas M. [NWard-Willis@kblaw.com]
Sent: 3/27/2019 7:01:32 PM
To: Ludmer, Margo [ludmer.margo@epa.gov]
CC: Sachs, Joel H. [JSachs@kblaw.com]; Doyle, James [Doyle.James@epa.gov]
Subject: RE: Conference Regarding Access Order
Attachments: ATT00001.txt; 20190321163917.pdf

Margo, sorry for the late notice. How is 4:30pm this afternoon or same time tomorrow? I have attached a copy of our November letter which sets forth our concerns so we can discuss it this afternoon. Please let me know what date and time works best. Thank you.

Nick

Nicholas M. Ward-Willis
Principal Member

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From: Ludmer, Margo [mailto:ludmer.margo@epa.gov]
Sent: Tuesday, March 26, 2019 6:57 PM
To: Ward-Willis, Nicholas M.
Cc: Sachs, Joel H.
Subject: RE: Conference Regarding Access Order

Nick,

Jim and I are available tomorrow after 4:15pm for a call. We can either call you and Joel from Jim's office (212-637-3165) or set up a conference line. Please let me know if this works.

Thanks,
Margo

Margo B. Ludmer
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
(212) 637-3187

From: Ward-Willis, Nicholas M. <NWard-Willis@kblaw.com>
Sent: Tuesday, March 26, 2019 5:23 PM
To: Ludmer, Margo <ludmer.margo@epa.gov>
Cc: Sachs, Joel H. <JSachs@kblaw.com>
Subject: RE: Conference Regarding Access Order

Margo, we are prepared to have the conference, but would like to speak with you and Jim Doyle this week and prior to scheduling the conference. Please advise when you and Jim are available for Joel and I to speak with the two of you.

Thank you.

Nick

Nicholas M. Ward-Willis
Principal Member

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From: Ludmer, Margo [mailto:ludmer.margo@epa.gov]
Sent: Monday, March 25, 2019 3:05 PM
To: Ward-Willis, Nicholas M.
Subject: Conference Regarding Access Order

Nick,

On March 18, 2019, you sent me an email requesting a conference regarding the March 12, 2019, access order ("Order") issued to your client, Cannistra Realty LLC. The Order states that, if a conference is desired, it shall be requested within five days of receipt of the Order and held within five days of the request, unless the parties mutually agree to a date beyond that time. Your request for a conference to be held after April 16, 2019, is unacceptable to EPA, as I indicated to you by email on March 19. You informed me that you would speak to your client and ascertain if an earlier date is possible.

EPA still has not been provided with your client's and/or your availability for a timely conference. Pursuant to Paragraph 27 of the Order, we need to ascertain whether your client would like a conference and, if so, when in the next week or so that conference may be held. We wish to accommodate your client's request for a conference, but if we do not receive an answer shortly, we will conclude that a conference was not timely scheduled and the Order shall become effective. If this helps, and as stated in the Order, the conference may be held by phone and you may participate with or without your client.

Please respond as soon as possible with proposed dates/times if you remain interested in participating in a conference.

Thank you,

Margo

Margo B. Ludmer
Assistant Regional Counsel
NY/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
(212) 637-3187