From:	Green, LindaE on behalf of FOIA HQ
To:	Johnson, Ivry
Subject:	FW: Jenny Giltner (DEC-SHIRLEY CLARK), et al. v. AKH Company d/b/a Discount Tire Company, et al. Ref # 4325-2073 (ROCK CREEK & E. V. CAIN) [WARNING: DKIM validation failed]
Date:	Tuesday, December 06, 2016 7:21:36 AM

Ivry,

The attached appears to be a request that Region 9 could respond to without action in Headquarters. However, if you learn that EPA HQ needs to take action on this, please send it to the FOIA Group Box (hq.foia@epa.gov with Special Instructions. Thank you.\

Linda E. Green

FOIA, Libraries & Accessiblity Division
U.S. Environmental Protection Agency
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From: Leticia Spinks [mailto:LSpinks@PondNorth.com]
Sent: Monday, December 05, 2016 1:25 PM
To: FOIA HQ <FOIA_HQ@epa.gov>
Subject: Jenny Giltner (DEC-SHIRLEY CLARK), et al. v. AKH Company d/b/a Discount Tire Company, et al. Ref # 4325-2073 (ROCK CREEK & E. V. CAIN) [WARNING: DKIM validation failed]

RE: Jenny Giltner, et al. v. AKH Company d/b/a Discount Tire Company, et al.
ACSC CASE NO.: RG15766720
Our client: Genuine Parts Co. ("GPC")
Our ref#: 4325-2073

Sir or madam:

This firm represents defendant GPC in the above-referenced asbestos litigation matter, currently pending in Alameda County, CA. Under the Freedom of Information Act ("FOIA"), I am writing to obtain copies of public records, as more fully identified below:

FOIA REQUEST

We respectfully request that US EPA provide all documents (including but not limited to all permits and certifications) related to the presence of asbestos (including but not limited to asbestos remediation and abatement) for the following locations & timeframes:

TIME PERIOD	LOCATION
1962-1969	ROCK Creek Elementary 3050 Bell Road Auburn, CA 95603

1969-1971	E. V. Cain Middle School 150 Palm Avenue Auburn, CA 95603

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DOCUMENT REQUEST LANGUAGE

DEFINITIONS

1. "RCES" as used herein shall mean and refer to the Rock Creek Elementary School at 3050 Bell Rd. Auburn, CA 95603, during 1962 to 1969.

2. "EVCMS" as used herein shall mean and refer to E. V. Cain Middle School, at 150 Palm Ave., Auburn, CA 94503, during 1969 to 1971.

3. "ALL DOCUMENTS AND TANGIBLE ITEMS" as used herein shall mean "writings," including the originals and all non-identical duplicates, whether different from the originals by reason of any notation made on such copies or otherwise, and includes, without limitation, receipts, purchase orders, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, telex, telefax, minutes, contracts, reports, studies, statements, summaries, interoffice and intra-office communications, notations of any sort of conversations, telephone calls, meetings or other communications, computer printouts, tape recordings, audiotapes, videotapes, charts, graphs, and electronic, mechanical or electronic records, compact discs, computer discs, computer tapes, computer software, electronically stored media, and any other form of stored information.

4. "RELATING TO" as used herein shall refer to anything relating to, concerning, reflecting, evidencing, referring to, depicting, identifying, describing, containing any information regarding, instructing, controlling, directing, prohibiting, or otherwise pertaining to.

5. "ASBESTOS" as used herein shall refer to any amount of mineral ASBESTOS, including but not limited to, any and all raw and/or processed ASBESTOS fibers including but not limited to vermiculite, amosite, tremolite, chrysotile and crocidolite, in ASBESTOS-containing materials.

6. "AHERA" as used herein shall refer to the Asbestos Hazard Emergency Response Act.

DOCUMENTS AND OTHER TANGIBLE ITEMS REQUESTED

1. Any and all DOCUMENTS RELATING TO the presence of ASBESTOS at RCES during 1962 to 1969.

2. Any and all DOCUMENTS RELATING TO violations or citations RELATING TO ASBESTOS

at RCES from 1962 to 1969.

3. Any and all DOCUMENTS RELATING TO any ASBESTOS abatement work performed at RCES from 1962 to 1985.

4. Any and all DOCUMENTS RELATING TO any air testing or sampling at RCES from 1962 to 1969.

5. Any and all DOCUMENTS RELATING TO any air testing or sampling for ASBESTOS at RCES from 1962 to 1969.

6. Any and all DOCUMENTS RELATING TO any bulk sampling at RCES from 1962 to 1969.

7. Any and all DOCUMENTS RELATING TO any air bulk sampling for ASBESTOS at RCES from 1962 to 1969.

8. Any and all DOCUMENTS RELATING TO any building permits at RCES from 1962 to 1969.

9. Any and all DOCUMENTS RELATING TO inspections RELATING TO ASBESTOS at RCES from 1962 to 1969.

10. Any and all DOCUMENTS RELATING TO the use, application, repair, installation, replacement and/or specification of any product that may contain ASBESTOS at RCES from 1962 to 1969.

11. Any and all DOCUMENTS RELATING TO the presence of products or materials that may contain ASBESTOS, including (but not limited to) insulation, asbestos-cement pipe, boilers, packing, gaskets, pumps and valves at RCES from 1962 to 1969.

12. Any and all DOCUMENTS RELATING TO the construction, remodel, demolition, maintenance, or structural repair performed at RCES from 1962 to 1969.

13. Any and all DOCUMENTS RELATING TO outside contractors who worked with or around, installed, removed or disturbed, ASBESTOS or ASBESTOS-containing materials at RCES from 1962 to 1969.

14. Any and all DOCUMENTS RELATING TO permits, certifications or authorizations RELATING TO ASBESTOS or ASBESTOS-containing materials at RCES from 1962 to 1969.

15. Any and all DOCUMENTS RELATING TO AHERA inspections, violations, citations, air

testing or sampling, bulk sampling or testing, records, reports, studies, and building permits at RCES from 1962 to 1975.

16. Any and all DOCUMENTS RELATING TO the presence of ASBESTOS at EVCMS during 1969 to 1971.

17. Any and all DOCUMENTS RELATING TO violations or citations RELATING TO ASBESTOS at EVCMS from 1969 to 1971.

18. Any and all DOCUMENTS RELATING TO any ASBESTOS abatement work performed at EVCMS from 1969 to 1985.

19. Any and all DOCUMENTS RELATING TO any air testing or sampling at EVCMS from 1969 to 1971.

20. Any and all DOCUMENTS RELATING TO any air testing or sampling for ASBESTOS at EVCMS from 1969 to 1971.

21. Any and all DOCUMENTS RELATING TO any bulk sampling at EVCMS from 1969 to 1971.

22. Any and all DOCUMENTS RELATING TO any air bulk sampling for ASBESTOS at EVCMS from 1969 to 1971.

23. Any and all DOCUMENTS RELATING TO any building permits at EVCMS from 1969 to 1971.

24. Any and all DOCUMENTS RELATING TO inspections RELATING TO ASBESTOS at EVCMS from 1969 to 1971.

25. Any and all DOCUMENTS RELATING TO the use, application, repair, installation, replacement and/or specification of any product that may contain ASBESTOS at EVCMS from 1969 to 1971.

26. Any and all DOCUMENTS RELATING TO the presence of products or materials that may contain ASBESTOS, including (but not limited to) insulation, asbestos-cement pipe, boilers, packing, gaskets, pumps and valves at EVCMS from 1969 to 1971.

27. Any and all DOCUMENTS RELATING TO the construction, remodel, demolition, maintenance, or structural repair performed at EVCMS from 1969 to 1971.

28. Any and all DOCUMENTS RELATING TO outside contractors who worked with or

around, installed, removed or disturbed, ASBESTOS or ASBESTOS-containing materials at EVCMS from 1969 to 1971.

29. Any and all DOCUMENTS RELATING TO permits, certifications or authorizations RELATING TO ASBESTOS or ASBESTOS-containing materials at EVCMS from 1969 to 1971.

30. Any and all DOCUMENTS RELATING TO AHERA inspections, violations, citations, air testing or sampling, bulk sampling or testing, records, reports, studies, and building permits at EVCMS from 1969 to 1985.

If there are any fees for searching or copying these records, pleased inform me if the cost will exceed $25.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and for litigation purposes. This information is not being sought for commercial purposes. Additionally, if access to the records requested herein will take longer than the standard time limit established by FOIA regulations (approx. 1 month), please contact me with information about when I can expect the requested copies.

If you deny any or all of the above requests, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal process available to me under the law.

Thank you for your courtesy and cooperation in this matter.

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