To: "Kuehler, Natalie \(USANYS\)" [Natalie.Kuehler@usdoj.gov]; auren Charney/R2/USEPA/US@EPA[]
Cc: LuisMendez@ongov.net[LuisMendez@ongov.net]
From: "Kevin C. Murphy"
Sent: Tue 11/29/2011 10:44:08 PM
Subject: RE: Lower Ley Creek PCBs
kmurphy@wladislawfirm.com
kmurphy@wladislawfirm.com

Natalie and Lauren:

Just a heads up: I am waiting for confirmation, which I should have by noon tomorrow, but it looks like it will be the morning of Thursday the 8th.

Kevin C. Murphy

The Wladis Law Firm, P.C.

P.O. Box 245, Syracuse, NY 13214

6312 Fly Road, East Syracuse, NY 13057

P 315/445-1700

F 315/251-1073

kmurphy@wladislawfirm.com

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From: Kuehler, Natalie (USANYS) [mailto:Natalie.Kuehler@usdoj.gov]
Sent: Tuesday, November 29, 2011 10:41 AM
To: Kevin C. Murphy; Charney.Lauren@epamail.epa.gov
Cc: LuisMendez@ongov.net
Subject: RE: Lower Ley Creek PCBs

Kevin,

Thanks for reaching out to us. We are interested in hearing the presentation, and are available at Region 2's New York offices next Tuesday (12/6) after 2:00 pm, Wednesday (12/7) before 3:00 pm, or Thursday (12/8) any time other than between 2:00 and 4:00 pm. Please let us know which of these times works best for you, as well as list of the expected attendees/presenters and whether you will need any A/V equipment to be set up.

Thank you,

Natalie

Natalie N. Kuehler

Assistant U.S. Attorney

Southern District of New York

86 Chambers Street, Third Floor

New York, NY 10017

Tel.: (212) 637-2741

Fax: (212) 637-2750

From: Kevin C. Murphy [mailto:KMurphy@WladisLawFirm.com]
Sent: Monday, November 28, 2011 9:53 AM
To: Kuehler, Natalie (USANYS); Charney.Lauren@epamail.epa.gov
Cc: LuisMendez@ongov.net

Subject: Lower Ley Creek PCBs

Counsel:

As you know, earlier this year, Onondaga County provided USDOJ and USEPA historical records related to the dredging of Ley Creek sediment. Based on the data and site maps recently received from USEPA, that information appears to have played a key role in the selection of sampling points in the most recent round of Remedial Investigation sampling. I note that because the County has regularly communicated the status of matters concerning the MLC Bankruptcy proceeding and the on-going RI, as we understand them, to the Industrial PRPs and the Town of Salina. In doing so the County has regularly suggested that all PRPs collect and forward to the government any additionally relevant information concerning Ley Creek.

Last week the Industrial PRPs made a presentation to the County and the Town concerning the distribution and magnitude of PCBs in Ley Creek. The presentation was compelling and provided a level of understanding and explanation of conditions in the Creek that the County submits is critical to what we understand are the on-going negotiations with Motors Liquidation Company, the selection of a remedy and the allocation of responsibility pursuant to CERCLA.

The County anticipates that once this presentation is considered, the information will play a significant factor in the RI findings, and could facilitate resolution of the on-going negotiations with the Motors Liquidation Company General Unsecured Claims Trust Administrator.

Given that the County provided data earlier this year, the Industrial PRPs requested the County's assistance in facilitating a meeting that will allow their expert to make the same presentation to each of you. Onondaga County hopes each of you will each accept this invitation to view the presentation recently made to the County. We estimate the presentation with an opportunity for follow-up questions by each of you would likely take approximately an hour and fifteen minutes.

Logistically the presentation could be made in several different ways: The Industrial Group prefers the presentation be made in person. Thus, New York City would be the preferred location. Alternatively, some or all participants could partake in a computer assisted conference call that would allow the presentation to be made live while each of the participants view the subject materials on their computer screen.

The presenters are generally available the week of December 5, 2011.

Please provide us with available dates and times and Onondaga County will take care of the scheduling at this end.

I will follow-up this e-mail with a call later today

Kevin C. Murphy

The Wladis Law Firm, P.C.

P.O. Box 245, Syracuse, NY 13214

6312 Fly Road, East Syracuse, NY 13057

OnondagaLake_0000756_0003

P 315/445-1700

F 315/251-1073

kmurphy@wladislawfirm.com

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