Vernon, Portrice

From: Maguire, Andrew
Sent: Wednesday, March 23, 2016 11:16 AM
To: Vernon, Portrice
Subject: FW: Emergency Action to stabilize TOCON property asbestos site

Andy Maguire
U.S. EPA - Region 5
312-353-8782

From: Leona Frank [mailto:leonafrank103@gmail.com]
Sent: Thursday, March 03, 2016 3:32 PM
To: Maguire, Andrew <maguire.andrew@epa.gov>
Subject: Re: Emergency Action to stabilize TOCON property asbestos site

Thank you.

On Thu, Mar 3, 2016 at 4:30 PM, Maguire, Andrew <maguire.andrew@epa.gov> wrote:

> Understood, I'll reword
>
> Sent from my iPhone
>
> On Mar 3, 2016, at 4:29 PM, Leona Frank <leonafrank103@gmail.com> wrote:
>
>> Mr. McGuire:
>>
>> Tocon Holdings, LLC takes issue with the following statements and requests the removal from the site and any document relating thereto:
>>
>> 1. "Many of the building structures have been previously demolished without proper asbestos abatement." This is an issue that has not yet been determined by any Court and evidence was provided to the Chapter 7 trustee contrary to. As you know, Tocon Holdings, LLC filed a Chapter 7 bankruptcy in the Southern District of Indiana, Case number: 15-08397-RLM-7 on October 6, 2015. Tocon provided a copy of the permit that was submitted and approved by governmental agencies. A contractor was hired by Tocon to demolish the buildings and to handle debris removal. To my understand, Mr. Richard Swift (the contractor) cannot be found.
>>
>> 2.I understand that there has also been illegal dumping on site and it has been quite some time since the buildings were demolished.
>>
>> On Thu, Mar 3, 2016 at 2:32 PM, Maguire, Andrew <maguire.andrew@epa.gov> wrote:
>>
>>> All,
>>>
>>> I've set up a website: www.epaosc.org/toconasbestos

I will post photos, documents and updates there as we go along with the project.

Also, if you haven't heard. Several of the samples we took on Monday came back positive for asbestos up to 15%. The data is on the website.

Andy Maguire

U.S. EPA - Region 5

312-353-8782

From: Maguire, Andrew
Sent: Tuesday, March 01, 2016 2:05 PM
To: 'Stutsman, Jeremy' <jeremystutsman@goshencity.com>; Hershberger, Becky <beckyhershberger@goshencity.com>; 'Michael, Rodney' <rmichael@taftlaw.com>; 'James Young' <james@rubin-levin.net>; jcleveng@idem.in.gov; 'Skroback, Andrew' <ASkroback@chadbourne.com>; Reiss, Jessica <JReiss@idem.IN.gov>; 'JAWORSKI, MARK' <MJAWORSK@idem.IN.gov>; Hartzler, Kelly <Kelly.Hartzler@btlaw.com>; 'leonafrank103@gmail.com' <leonafrank103@gmail.com>
Cc: Daugavietis, Andre <daugavietis.andre@epa.gov>; Mike Ribordy <Ribordy.Mike@epa.gov>
Subject: Emergency Action to stabilize TOCON property asbestos site

All,

So all of you know, I have initiated an emergency response action to stabilize the TOCON Property in Goshen. Activities will begin tomorrow with erecting a fence, covering piles containing asbestos and installing signs along the fence line indicating the presence of asbestos on the site. We anticipate to have the fence up and piles covered by the end of this week with signs installed no later than next week.

I will also move forward with scheduling a removal action in the next few months.

Thanks and let me know if you have any questions.

||||||||||||||||||||||||

Andy Maguire

On-Scene Coordinator

U.S. EPA - Region 5

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