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Hi Matt....714 Baldwin St. questions.

1 message

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Tue, Jun 24, 2014 at 4:39 PM

To: Matthew Dunham <mddunham@gw.dec.state.ny.us>

Cc: jwmahone@gw.dec.state.ny.us

Bcc: David Pawlak <pawlaklaw@stny.rr.com>

Hi Matt,

I hope all is well with you.

Since I am eager to move ahead with my project at 714 Baldwin St., I am trying to see all of the options before me in dealing with the DEC issues.

Please can you help me with some questions.

My thinking of late is that since 714 Baldwin St. has not been officially determined (no interior testing has been carried out.) to be part of the problem can the DEC toxic rated site not move forward as it is without involving 714 Baldwin St?

Can you direct me to any information relating to the conclusions about 714 Baldwin St. that would discuss the decrease in readings and their ramifications?

In other words, in your experience or experience in general, when remediation has taken place within the vicinity which had been affected/contaminated and the post remediation readings in the vicinity demonstrate a reduction in toxic levels across the table, at what point do you/DEC conclude that the effort is successful and time will fix the remaining problem?

Please can you review the data on the 2013 MACTEC review so that you can direct me to maybe a similar situation where the process has been deemed successful. Are there other remediation projects similar to Diamond/714 Baldwin St. where once the readings were seen to diminish the project was left to take care of itself?

Also, regarding the recommendation by MACTEC to further inspect the area under the slab at 714 Baldwin St. how much weight does that recommendation carry since the toxic levels have been reduced dramatically around the 714 Baldwin St. site?

In other words when do you/DEC decide you are satisfied regardless of further recommendations?

Also what are the chances in your opinion that the Diamond Dry cleaners was the main contaminator, since the water table flow from the diagrams flowed south west directly towards 714 Baldwin St from the Diamond dry cleaners site?

Is it likely that Diamond was the sole perpetrator since levels around the whole area have decreased and no remediation work has been done at 714 Baldwin St?

Would that not indicate that 714 cannot be a source since the readings are diminishing directly proportionally to the remediation work carried out at the Diamond site?

Are the 2013 readings/is there any way to determine or who determines that the 2013 readings are indicative of/proof of successful remediation at the Diamond site?

Who certifies these findings?

At what point does the DEC say it is satisfied with the progress?

Finally, I have attached an image of remediation work done next to a building in Canada.

Since there were elevated readings south of the 714 property on another property, would you/MACTEC/who? not recommend that since the property south of 714 is just dirt, it would make sense and be cost effective to dig in the dirt and create a drainage pool to the south where contaminated soil could be removed and contaminated waters could flow in and be removed?

Since it has not been officially determined that 714 has anything to do with the contamination problem, can any further work done south of 714 just be attached to the DIAMOND project and Diamond is/was for sure the main contaminator?

Sorry for all the questions Matt, I am just eager to get going and I can see a way through so I just want to get started. The building at 714 has been gutted, vandalized and all the copper/electric stripped out of it along with other major insulation problems. It needs a lot of work, and with the cold weather on its way in three months, I have lots to do. You can understand the need to get in and get fixing!

Also, July 15th is the Elmira deadline for 2014 to get the building re-assessed for tax purposes so I can get a really good break to relieve me of the tax burden over the next several years until the building is brought up to code.

Please can you or whom ever might be able to help expedite this process in any way look at these issues and see if you can get any beneficial information to Attorney Mahoney which would help me secure the DEC indemnity agreement I need to protect myself from any liability concerning the contamination of this whole area which will allow me to close the deal.

Thanks for your time,

Julian



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