

Appendix A – Correspondence from EPA to PRP



From: [Rae, Sarah \(she/her/hers\)](#)
To: [Anthony Serio](#)
Bcc: [Edmunds, Crystal](#)
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C
Date: Wednesday, March 13, 2024 10:32:00 AM
Attachments: [Kalispell - Letter from Irene Serio dated 02 07 2024.pdf](#)
[ATP indipav form.pdf](#)
[Req_Ind.docx](#)
[Tax Form 4506t.pdf](#)
[image001.png](#)

Good morning Ms. Serio,

I have reviewed the letter and documents you mailed to me on 2/7/2024. I have attached a copy of your signed letter for reference.

Ability to Pay Settlement: In your email dated 1/18/2024 you requested information about EPA's Ability to Pay Settlements. I provided the ATP documents via email on 1/19/2024. For your convenience, I have also attached the documents to this email. In your letter dated 2/7/2024, you stated:

“I also would like to address the financial situation that is on the land. We took a loan on the land to buy a business that would allow somewhat of a retirement plan. We did this in 2023. The business that we bought is renting space to vendors for antiques sales records comics, etc. The couple we bought it from made small areas with walls and rented them out to collectors and antique dealers. Of course, this business does not own the building so we rent the space from the owner of the building, and then the collectors of antiques, etc., pay us rent. We receive a percentage of the sales and work the desk to collect the sales. The business name is Swappers. There was a loan that was taken out on the land around 2006 from Glacier Bank. When we bought this business for \$25,000 the bank paid off the old loan and borrowed the \$25,000 to buy the business. If a lien from the EPA goes on the land it will financially ruin us. We do plead with the EPA to consider all the facts as to why the property was in the condition it was for reasons beyond our control and ask them not to put a Lien on the property.”

However, when reviewing your 2/7/2024 letter and documents, I did not see any of the requested Ability to Pay documents to support your statements regarding your current financial situation. If you believe, and can document, that you fall within the Ability to Pay category, please submit the requested financial information and records including personal federal tax returns no later than **April 1, 2024**.

Superfund Lien Hearing: If I do not hear from you by **April 1, 2024**, I will move forward with submitting your written objection, EPA's response, and the Lien Filing Record to the neutral EPA official for review. After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Rae, Sarah (she/her/hers)
Sent: Wednesday, March 6, 2024 12:13 PM
To: Anthony Serio <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Good afternoon Ms. Serio,

I was notified yesterday from our mail room that I received a package from you. I will review the documents that you provided and get them over to our financial folks for processing. I will let you know if we need any additional information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Rae, Sarah (she/her/hers)
Sent: Monday, February 5, 2024 8:01 AM
To: Anthony Serio <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Please also include my mail code:

Sarah Rae (Mail Code: 8ORC-LE-C)
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Sunday, February 4, 2024 4:05 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear Sarah,

I just want to confirm the address to where the papers I need to send be mailed to. Is as follows:

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839

On Jan 17, 2024, at 10:58 PM, Anthony Serio <tonyserio2017@gmail.com> wrote:

Dear Sara,

I was unable Monday to get all the exhibits from The Clerk and Records Office in Kalispell because it was Martin Luther Kings day on Monday. I did go today to get the records that contain exhibits in the law Suit of Flathead Cty vs Sure Seal, but was informed to email what I needed and they will get them because of it being so far back.

When all of this started and during the process, we tried to fight hard, as you will maybe understand from some of my correspondence today to you. At the time I was younger and did not understand the process of presenting precedent or quoting law in fighting a legal case. We could not afford an attorney to fight the county so we had to try. I did get it as far as the Supreme Court. When it got as far as to Supreme Court we were living in Florida where we found work now that we were out of business in Montana. Our friends knew an attorney in Great Falls Montana that tried to fight for us in the Supreme court but because the original paper work lacked the needed basic education to present properly a defense, we lost. The Flathead County did dismissed all the fines. Im not sure why. We did contact the local news. The TV station did interview us. It never aired. I don't know why or if they contacted the Flathead County and they decided to drop the fines. I am not sure. This is one of many Exhibits that I will get from the Flathead County Clerk and Records office on Flathead

County vs Sure Seal. Today I am sending you this First Exhibit and some explanation on when and how this Case started.

1. We Read in the local news paper back then, that our Company Sure Seal was being fined \$30,000.00. (we had 4 Children). There was no one that had talked to us at all about any of this. The only contact the County reached out to was our 16 year old Son, Jesse while he was on our land that happens to adjoin the Flathead County's Gravel Pit. Jesse was performing a test Patch to see if the consistency was right for the spray bar. Jesse told us that some guys came up on the land while he was doing this and asked him questions.
2. After reading about this fine in the newspaper, I went to the Road Department, explained to the Road department that as they already knew, we had applied this dust suppressant in more then 5 places. The fines were \$5,000 each. I asked the Road Supervisor at the time — If you are fining us for the 5 places then, why would you not fine for all the places we applied the Dust suppressant which was many (I have a list still and I think presented as an exhibit in the law suit) including Big Mountain Ski Resort and City of Kalispell. (Exhibit) The arrangement then was Customers would call Sure Seal or Lyman and we would go out and put Dust Control on there Roads after the road was grated by the county. The Home Owner would Pay us for the dust suppressant. When the road department had dust control that needed done at their gravel pits yards ect only Lyman was asked to bid. We were the only two road companies in the valley.
3. Our permit was revoked without any notification. Flathead County Justice court said we were operating without a permit yet the Road Department never informed us nor did the Justice Department. This is how the fines derived. Because now we unknowingly did not have a permit and as we continued to conducted business they fined us under a dumping law. Same law as if you threw your dead animal along side the road. This is how the law read that they presented in order to fine us in 5 locations. We were fined under dumping laws. Never any papers served. Secretly shut down. When I went to talk to the road supervisor about what was in the newspaper he said your permit is revoked. **This stopped the recycling process.**
4. They shut us down causing us such grief and despair. Not only a problem for us but a problem for the Lumber Mills. We acted responsibly by going to them and telling them we are having a problem with the county. It was us as a responsible company that helped the lumber mills find a new way to handle their veneer Pitch. We had heard of a Plywood plant in Wyoming that was burning veneer residue. We personally drove to Wyoming to see what the process was. They were taking the pitch and injecting it into their boiler using it to fuel their boiler. We went back to Stimson and Plum Creek gave them contact names of how they can do the same thing. And they did.
5. The Local County Road Supervisor knew about our environmental safe dust control that we had developed as we saw them for many years at Road Supervisors Conventions held each year in different Cities in Montana. We always attended and set up booths to educate and solicit new road materials. Also Tony Serio had contacted Joe Russell head of Flathead County Health Department about environmentally safe Dust Controls including Magnesium Chloride in which we were an independent Distributor for Riley Windover from Salt Lake City. Our job for this large company was to educate

Mines Cities and County's about Magnesium Chloride as a Dust Control. Later we demonstrated how this product mixed with Gravel made a safe ice melt. I will send you pictures of some of the beginning stages of where we demonstrate this procedure. Why does Mag Chloride pertain to this case? My point is that we were actively in the business of providing a safe Dust Control for roads - which included recycling Pine Tar Pitch into a safe Dust control for roads.

6. The Developing of Pine Tar Pitch was also a great alternative to oil along with Mag Chloride but it was more user friendly - Mag Chloride could not stick to roads that had oil on them. Pine Tar Pitch could. It also created a hard surface on the road.
7. For now I will conclude to you that because of the action of the Flathead County we were prevented from recycling any more because we were no longer in that business. Later I would like to show you some correspondence we had with Plum Creek and Stimson about them helping us to get rid of the pitch in tanks - as this pertains to the cradle to grave law.
8. Also I would like to express to you how grateful we are that you did step in and clean up the land because at our age now we would find it a hardship to clean it as well as you did. Our hope was to use the crude oil for a job we had and put that money into cleaning it up. Our son Jesse owns 5 dump trucks and we had another friend with an excavator. We have a distributor truck that we now have for sale because we don't need it now. But now we don't have to go through all that. My husband is 71 and I am getting there. So Thank You. I will get you more as soon as I can. Thank you very much' Irene Serio and Tony Serio

1.

On Jan 16, 2024, at 3:36 PM, Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov> wrote:

Ms. Serio,

In your email dated January 10, 2024, you stated that you intend to send me exhibits to support your written objection to EPA's Intent to Perfect a Superfund Lien. To date, I have not received any additional documents from you. Please send any supporting documentation to me by Friday, January 26, 2024. If I do not hear from you by the deadline, I will move forward with submitting your written objection, EPA's response, and the Lien Filing Record to the neutral EPA official for review.

After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel

US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Rae, Sarah (she/her/hers)
Sent: Wednesday, January 10, 2024 3:10 PM
To: Anthony Serio <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Ms. Serio,

Thank you for confirming that you received the letter that was mailed via Certified Mail on December 14th, 2023. I am confirming receipt of your written objection.

EPA staff will review any written submission by or on behalf of you. If, after the review, EPA staff agrees that the Agency does not have a reasonable basis to perfect the lien, the EPA will forbear from perfecting the lien and will notify you of this determination. However, if after this review, EPA staff still believes that the EPA has a lien pursuant to CERCLA Section 107(l), then EPA staff will refer the written submission to a neutral EPA official selected for the purpose of reviewing both i) the written submission and ii) the EPA's Lien Filing Record. After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Wednesday, January 10, 2024 12:05 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Ref: 80RC-LE-C

Dear Sara:

I received a certified letter yesterday from Region 8.

The Letter Pertains to Perfecting a lien on my property. For several reasons we would like to appeal to you why we feel this would be an error and unfair because of circumstances that I think need to be addressed

Today I would like to address why the clean up would be considered under The Superfund Recycling Equity Act. Tomorrow and next few days I will send Exhibits.

The product was collected with the intentions of Recycling it. We are talking here early 90's. Not only was recycling the intention but it was accomplished and doing well back then.

Doing very well until Flathead County revoked our permit. This was after the recycled product was used on City Streets and allays In Kalispell. This was after this product was used at Big Mountain Ski Resort. This was after the recycled product was used on many county roads cutting the cost of Dust Control in half. The recycled safe product was a huge benefit for the people in Flathead County as they could afford to abate the dust in front of their houses at a reasonable affordable price at the time.

We had obtained a Material Safety Data Sheet for it from the generators. We had also invested in research and development to find safe additives to use for the emulsification Process. Collied Lab gave a report on this in which I will forward to you.

Why would Flathead County shut us down without even taking a sample of our environmental Safe Dust Control? They never even asked us or talked to us or warned us - Just one day shut us down.

At the time there were Two Dust Control Companies. Lyman Dust Control and us Sure Seal. Flathead County at that time would allow only Lyman to bid on projects. After we were pushed out of business Lyman Dust Control remained for the next 30 years as the only major dust control business in the Flathead Valley. Back then Flathead County put an injection on our business and would not allow us to work shutting down the recycling project. With that being said I will send you paper work that show proof of these facts. I did send some at the time of the clean up. But I will send again. I also would like to address the Cradle To Grave Law. Stimpson Lumber and Plum Creek - their material was in the tanks.

I appreciate your understanding in this matter and will be sending exhibits.

Thank You Irene Serio

From: [Rae, Sarah \(she/her/hers\)](#)
To: [Anthony Serio](#)
Bcc: [Edmunds, Crystal](#)
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C
Date: Friday, January 19, 2024 8:59:00 AM
Attachments: [ATP.indipay form.pdf](#)
[Req_Ind.docx](#)
[Tax Form 4506t.pdf](#)
[image007.png](#)

Ms. Serio,

I have attached the Ability to Pay Information that you requested. While EPA's Demand Letter demands that you reimburse the EPA for all funds spent at the Site, the EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within this category, please submit the requested financial information and records including personal federal tax returns. If the EPA concludes that you have a legitimate inability to pay the full amount, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Rae, Sarah (she/her/hers)
Sent: Friday, January 19, 2024 8:51 AM
To: 'Anthony Serio' <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Good morning Ms. Serio,

The options I described in my previous correspondence are:

- 1. Ability to Pay Settlement:** In response to EPA's demand letter, you can request information on an Ability to Pay Settlement. You will be required to submit financial information and supporting documentation so our financial analyst can determine if you have any ability to pay the amount included in EPA's demand letter.
 - a. An Ability to Pay Settlement could resolve your Superfund (CERCLA) liability at the Site – if we are able to reach a settlement agreement then perfecting a Superfund Lien on the property would not be necessary.**
- 2. Superfund (CERCLA Section 107(l)) Lien:** In response to EPA's Notice of Intent to Perfect Superfund Lien, you can submit additional documentation to support your written objection. A neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state

whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

a. EPA typically resolves Superfund Liens via a settlement agreement.

I am confirming your request for the Ability to Pay information and I will send you the documents via email later today.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Anthony Serio <tonyserio2017@gmail.com>

Sent: Thursday, January 18, 2024 10:56 PM

To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>

Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear Sara,

Thank You for this extension. I am understanding that I have two choices.

1. One is pleading with the EPA to apply the cradle to grave law to the generators of the material.
2. The other is to except all responsibility for the clean up and plead with the EPA that we were recycling the material received and had circumstances that were presented to us by abuse of powers that stopped the recycling process and completely derailed us, causing us to move.

INTENT-We came back to Montana during Covid and was planning to try to clean up the land when EPA did it for us. And now we cannot afford to pay the clean up fees. This would be easy to show.

We have never recovered from what happened to us in Montana as we lost important years that we had used to establish our Lives. We had to completely start over.

While we were in Florida people put garbage on our land. Flathead County had shut down the Green boxes for dumping located up the Highway from the land. People started throwing all kinds of garbage on the land. Unauthorized dumping while we were away.

Hazard Material —If there were contaminates on the land it was not from the pine tar pitch. Pine tar pitch is an organic material, so it probably fermented over years and I am not sure what it looked like after years but I knew it did not leak because it was too thick. The oil in the tank was Crude oil meaning Road oil that comes out of the well head from Cutbank Montana. They are still in business as Plains Pipeline. They were called Scurlock Permian Corporation then. They hauled the oil over

to us from Cutbank. We have a MSD from Shurlock Primum. That Product was very thick also. When told it was leaking into Ashley Creek I was on the defensive and felt that was impossible. - I would like to apologize as my response to the EPA that was emailed to them. Tony told me not to do it. But I did and am sorry for my language. We were literally homeless at the time EPA contacted us on the phone. We were staying in our shop that we rent. As my aunt had died and her son sold the house we were renting. Our only hope was cleaning the land and I thought if they cleaned it we would lose it. I became defensive. Very Sorry.

FINANCES — The Move to Florida was difficult. My husband was in a bad car accident on the free way as he was picked up by a Helicopter and taken to a Miami Hospital Trauma center. He totaled out a Company Ford Explorer, rolled it 3 times, He was a salesman for an Asphalt Company there. In 1999 we did what good poor people do — we had a baby. I was 42 and Tony was almost 50. Life was not easy there. We were able to Financial afford to come back to Montana when my aunt had a stroke and we took care of her for awhile and then rented her house.

I think the easiest is to plead with the EPA about our financial situations. But do you think The EPA would apply the Cradle to Grave Law which I will send you this that I found.

“Cradle to Grave” states that a hazardous waste generator is responsible for its waste from initial generation through its ultimate disposal and beyond. Nothing will relinquish a generator of this responsibility. There’s no expiration date or time limit, and hiring someone else to transport and dispose of your waste does not transfer responsibility

That’s why it is vitally important to maintain compliance and ensure you are operating by the book. If an incident happens occurs at any point during your waste’s lifecycle, you can and will be held liable. It’s possible you may also be obligated to pay some, or all, costs associated with a response or a cleanup **The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from cradle to grave.**

§6901 et seq. (1976) The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from cradle to grave.

Is it possible to do both? About the packet can you mail to

P.O. Box 521 Kalispell, Montana 59903 . The Packet I need to fill out for the Finances.

Thank You
Irene Serio

On Jan 18, 2024, at 10:00 AM, Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov> wrote:

Ms. Serio,

I am confirming receipt of your email.

I can grant a two week extension for submitting the documents. Please send any supporting documentation to me by **Friday, February 9, 2024**. If I do not hear from you by the deadline, I will move forward with submitting your written objection, EPA's response, and the Lien Filing Record to the neutral EPA official for review. After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA’s action.

Another available alternative, is an administrative settlement with EPA. As explained in EPA's May 19, 2023 Demand Letter (attached), while EPA demands that you reimburse the EPA for all funds spent at the Site, the EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within this category, please respond to this email and request information on **ability to pay settlements**. In response, you will receive a package of information about such settlements and a form to fill out with information about your finances, and you will be asked to submit financial records including personal federal tax returns. If the EPA concludes that you have a legitimate inability to pay the full amount, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers

From: Anthony Serio <tonyserio2017@gmail.com>

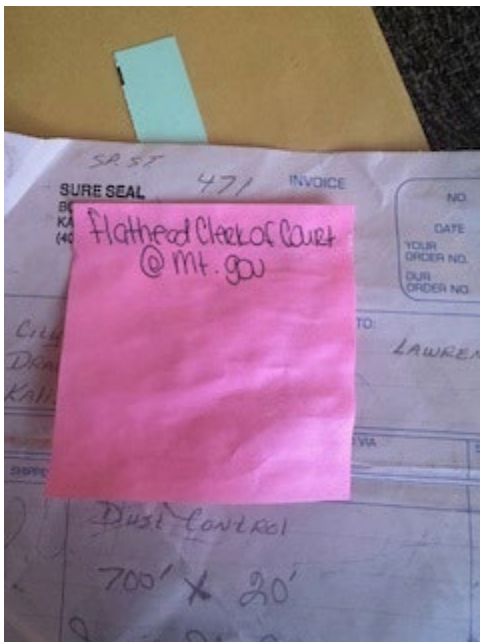
Sent: Thursday, January 18, 2024 9:09 AM

To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>

Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good Morning, I am sending you a copy of the written address given to me by an employee yesterday when I asked for copies of the case involving Flathead County. The case consist of exhibits that I need to plead my case. This is what she gave me and it does not work. It never ends with this case.



This was came back to me when I sent it - Your message wasn't delivered to flatheadclerkofcourt@mt.gov because the address couldn't be found, or is unable to receive mail.— What I tried to send was this.

To the Courts,

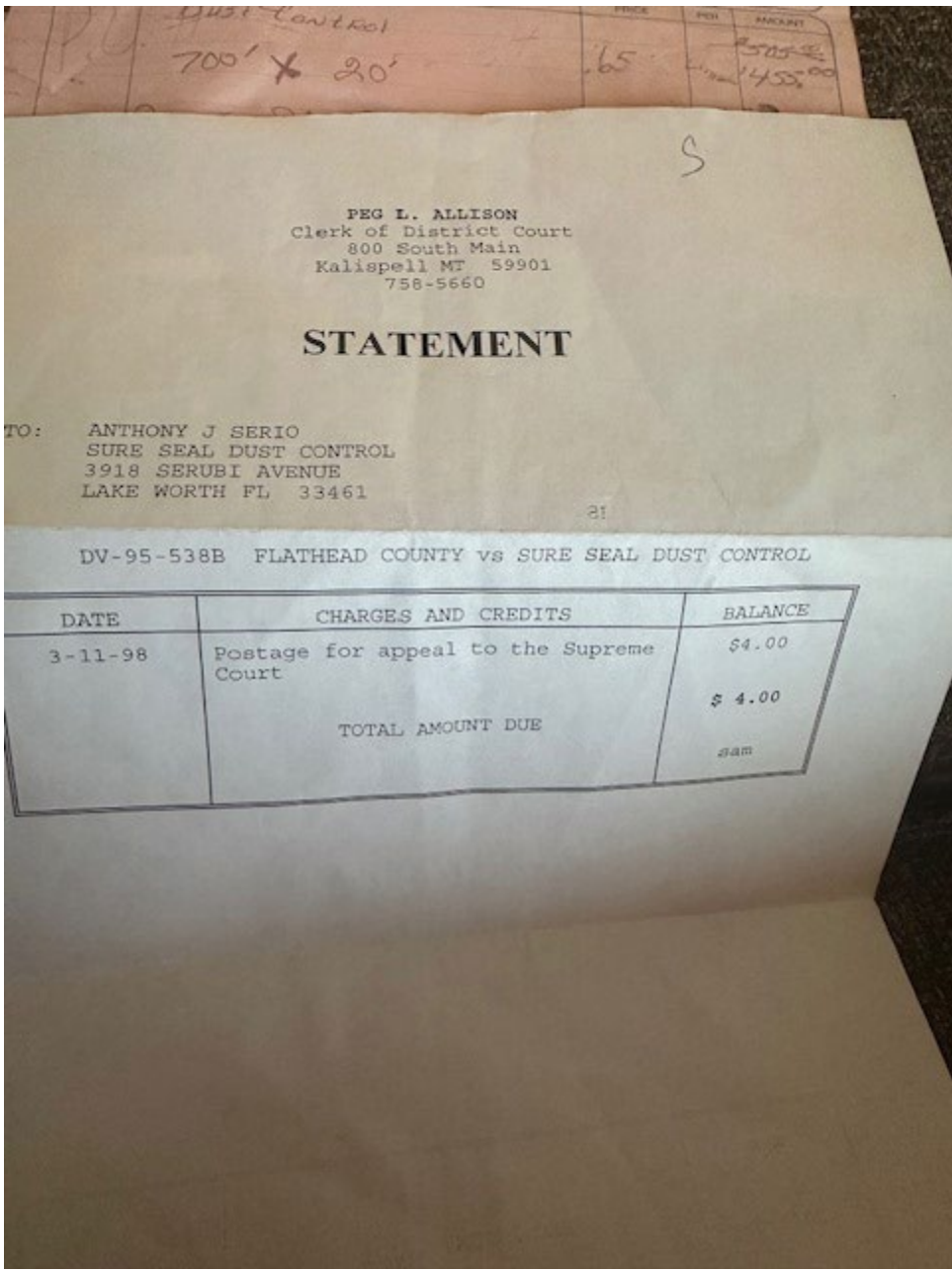
Please let me know when I can pick up all copies and attachments and Exhibits concerning the case DV-95-538B. Flathead County vs. Sure Seal Dust Control.

I am inclosing a statement I have concerning the case with dates ect that you may need. My phone number is 561-502-7609 if you have any questions.

I do need as quickly as possible.

Thank You

Irene Serio



PEG L. ALLISON
Clerk of District Court
800 South Main
Kalispell MT 59901
758-5660

STATEMENT

TO: ANTHONY J SERIO
SURE SEAL DUST CONTROL
3918 SERUBI AVENUE
LAKE WORTH FL 33461

21

DV-95-538B FLATHEAD COUNTY vs SURE SEAL DUST CONTROL

DATE	CHARGES AND CREDITS	BALANCE
3-11-98	Postage for appeal to the Supreme Court	\$4.00
	TOTAL AMOUNT DUE	\$ 4.00
		Sam

So I will go there again today. The lady at the court house yesterday gave me an email that does not exist when I asked to get copies of case.

On Jan 18, 2024, at 8:26 AM, Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov> wrote:

Good morning Ms. Serio,

I am confirming receipt of your email.

Sarah Rae
Senior Assistant Regional Counsel

US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Wednesday, January 17, 2024 10:58 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

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Dear Sara,

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We could not afford an attorney to fight the county so we had to try. I did get it as far as the Supreme Court. When it got as far as to Supreme Court we were living in Florida where we found work now that we were out of business in Montana. Our friends knew an attorney in Great Falls Montana that tried to fight for us in the Supreme court but because the original paper work lacked the needed basic education to present properly a defense, we lost. The Flathead County did dismissed all the fines. Im not sure why. We did contact the local news. The TV station did interview us. It never aired. I don't know why or if they contacted the Flathead County and they decided to drop the fines. I am not sure. This is one of many Exhibits that I will get from the Flathead County Clerk and Records office on Flathead County vs Sure Seal. Today I am sending you this First Exhibit and some explanation on when and how this Case started.

SR 57 471 INVOICE

SURE SEAL
BOX 2322
KALISPELL, MT 59901
(406) 756-8787

NO. 59
DATE 6-15-91
YOUR ORDER NO.
OUR ORDER NO.

LD TO: City of Kalispell
DRAWER 1997
KALISPELL, MT 59901

SHIP TO: LAWRENCE PARK

ORDERED	SHIPPED	DESCRIPTION	PRICE	PER	AMOUNT
		Dust Control 700' x 20'	65		4500 145
		Special St. Road Oil Cade			
		THANK YOU!			

JUL 13 1991
CITY CLERK
KALISPELL, MONTANA

TRIPPLICATE

1. We Read in the local news paper back then, that our Company Sure Seal was being fined \$30,000.00. (we had 4 Children). There was no one that had talked to us at all about any of this. The only contact the County reached out to was our 16 year old Son, Jesse while he was on our land that happens to adjoin the Flathead County's Gravel Pit. Jesse was performing a test Patch to see if the consistency was right for the spray bar. Jesse told us that some guys came up on the land while he was doing this and asked him questions.
2. After reading about this fine in the newspaper, I went to the Road Department, explained to the Road department that as they already knew, we had applied this dust suppressant in more then 5 places. The fines were \$5,000 each. I asked the Road Supervisor at the time — If you are fining us for the 5 places then, why would you not fine for all the places we applied the Dust suppressant which was many (I have a list still and I think presented as an exhibit in the law suit) including Big Mountain Ski Resort and City of Kalispell. (Exhibit) The arrangement then was Customers would call Sure Seal or Lyman and we would go out and put Dust Control on there Roads after the road was grated by the county. The Home Owner would Pay us for the dust suppressant. When the road department had dust control that needed done at their gravel pits yards ect only Lyman was asked to bid. We were the only two road companies in the valley.
3. Our permit was revoked without any notification. Flathead County Justice court said we were operating without a permit yet the Road Department never informed us nor did the Justice Department. This is how the fines derived. Because now we unknowingly did not have a permit and as we continued to conducted business they fined us under a dumping law. Same

law as if you threw your dead animal along side the road. This is how the law read that they presented in order to fine us in 5 locations. We were fined under dumping laws. Never any papers served. Secretly shut down. When I went to talk to the road supervisor about what was in the newspaper he said your permit is revoked. **This stopped the recycling process.**

4. They shut us down causing us such grief and despair. Not only a problem for us but a problem for the Lumber Mills. We acted responsibly by going to them and telling them we are having a problem with the county. It was us as a responsible company that helped the lumber mills find a new way to handle their veneer Pitch. We had heard of a Plywood plant in Wyoming that was burning veneer residue. We personally drove to Wyoming to see what the process was. They were taking the pitch and injecting it into their boiler using it to fuel their boiler. We went back to Stimson and Plum Creek gave them contact names of how they can do the same thing. And they did.
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8. Also I would like to express to you how grateful we are that you did step in and clean up the land because at our age now we would find it a hardship to clean it as well as you did. Our hope was to use the crude oil for a job we had and put that money into cleaning it up. Our son Jesse owns 5 dump trucks and we had another friend with an excavator. We have a distributor truck that we now have for sale because we don't need it now. But now we don't have to go through all that. My husband is 71 and I am getting there. So Thank You. I will get you more as soon as I can. Thank you very much' Irene Serio and Tony Serio

1.

On Jan 16, 2024, at 3:36 PM, Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov> wrote:

Ms. Serio,

In your email dated January 10, 2024, you stated that you intend to send me exhibits to support your written objection to EPA's Intent to Perfect a Superfund Lien. To date, I have not received any additional documents from you. Please send any supporting documentation to me by Friday, January 26, 2024. If I do not hear from you by the deadline, I will move forward with submitting your written objection, EPA's response, and the Lien Filing Record to the neutral EPA official for review.

After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Rae, Sarah (she/her/hers)
Sent: Wednesday, January 10, 2024 3:10 PM
To: Anthony Serio <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Ms. Serio,

Thank you for confirming that you received the letter that was mailed via Certified Mail on December 14th, 2023. I am confirming receipt of your written objection.

EPA staff will review any written submission by or on behalf of you. If, after the review, EPA staff agrees that the Agency does not have a reasonable basis to perfect the lien, the EPA will forbear from perfecting the lien and will notify you of this determination. However, if after this review, EPA staff still believes that the EPA has a lien pursuant to CERCLA Section 107(l), then EPA staff will refer the written submission to a neutral EPA official selected for the purpose of reviewing both i) the written submission and ii) the EPA's Lien Filing Record. After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Wednesday, January 10, 2024 12:05 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Ref: 80RC-LE-C

Dear Sara:

I received a certified letter yesterday from Region 8.

The Letter Pertains to Perfecting a lien on my property. For several reasons we would like to appeal to you why we feel this would be an error and unfair because of circumstances that I think need to be addressed

Today I would like to address why the clean up would be considered under The Superfund Recycling Equity Act. Tomorrow and next few days I will send Exhibits.

The product was collected with the intentions of Recycling it. We are talking here early 90's. Not only was recycling the intention but it was accomplished and doing well back then. Doing very well until Flathead County revoked our permit. This was after the recycled product was used on City Streets and alleys In Kalispell. This was after this product was used at Big Mountain Ski Resort. This was after the recycled product was used on many county roads cutting the cost of Dust Control in half. The recycled safe product was a huge benefit for the people in Flathead County as they could afford to abate the dust in front of their houses at a reasonable affordable price at the time.

We had obtained a Material Safety Data Sheet for it from the generators. We had also invested in research and development to find safe additives to use for the emulsification Process. Collied Lab gave a report on this in which I will forward to you.

Why would Flathead County shut us down without even taking a sample of our environmental Safe Dust Control? They never even asked us or talked to us or warned us - Just one day shut us down.

At the time there were Two Dust Control Companies. Lyman Dust Control and us Sure Seal. Flathead County at that time would allow only Lyman to bid on projects. After we were pushed out of business Lyman Dust Control remained for the next 30 years as the only major dust control business in the Flathead Valley. Back then Flathead County put an injection on our business and would not allow us to work shutting down the recycling project. With that being said I will send you paper work that show proof of these facts. I did send some at the time of the clean up. But I will send again. I also would like to address the Cradle To Grave Law. Stimpson Lumber and Plum

Creek - their material was in the tanks.

I appreciate your understanding in this matter and will be sending exhibits.

Thank You Irene Serio

From: [Rae, Sarah \(she/her/hers\)](#)
To: [Anthony Serio](#)
Cc: [Irene Serio](#)
Bcc: [Edmunds, Crystal](#)
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C
Date: Thursday, January 18, 2024 10:00:00 AM
Attachments: [image004.png](#)
[Kalispell Valley Drive Tanks - Demand Letter 05 19 2023 signed.pdf](#)

Ms. Serio,

I am confirming receipt of your email.

I can grant a two week extension for submitting the documents. Please send any supporting documentation to me by **Friday, February 9, 2024**. If I do not hear from you by the deadline, I will move forward with submitting your written objection, EPA's response, and the Lien Filing Record to the neutral EPA official for review. After reviewing the written submissions and after conducting a conference (if one is requested), the neutral EPA official will issue a recommended decision based upon the Lien Filing Record and the other information received. The recommended decision will state whether the EPA has a reasonable basis to perfect the lien and the decision will be forwarded for action to the EPA official delegated to execute liens. You will be provided with a copy of the recommended decision and will be notified of EPA's action.

Another available alternative, is an administrative settlement with EPA. As explained in EPA's May 19, 2023 Demand Letter (attached), while EPA demands that you reimburse the EPA for all funds spent at the Site, the EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within this category, please respond to this email and request information on **ability to pay settlements**. In response, you will receive a package of information about such settlements and a form to fill out with information about your finances, and you will be asked to submit financial records including personal federal tax returns. If the EPA concludes that you have a legitimate inability to pay the full amount, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Anthony Serio <tonyserio2017@gmail.com>

Sent: Thursday, January 18, 2024 9:09 AM

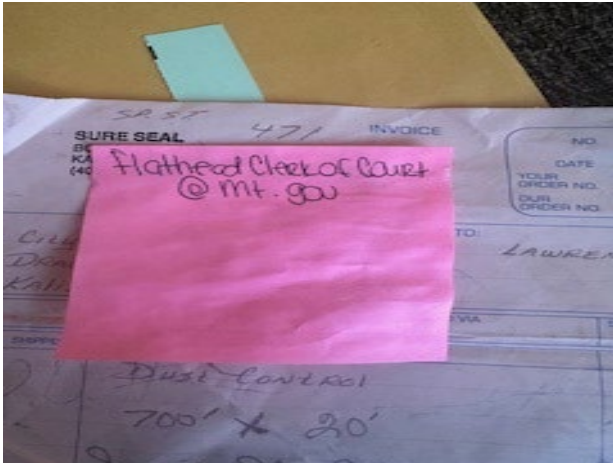
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>

Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good Morning, I am sending you a copy of the written address given to me by an employee yesterday when I asked for copies of the case involving Flathead County. The case consist of exhibits that I need

to plead my case. This is what she gave me and it does not work.
It never ends with this case.



This was came back to me when I sent it - Your message wasn't delivered to flatheadclerkofcourt@mt.gov because the address couldn't be found, or is unable to receive mail.—
What I tried to send was this.

To the Courts,

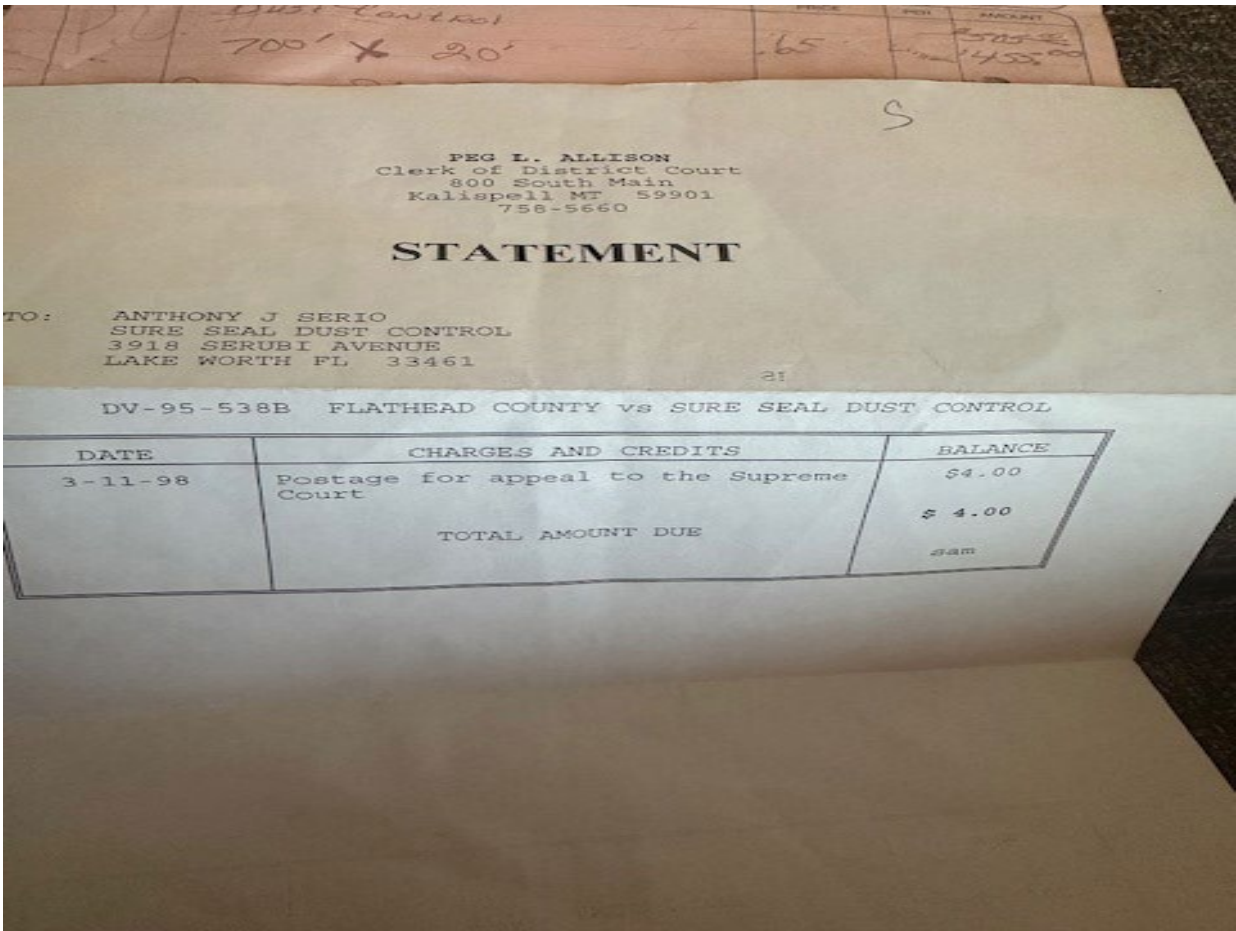
Please let me know when I can pick up all copies and attachments and Exhibits concerning the case DV-95-538B. Flathead County vs. Sure Seal Dust Control.

I am inclosing a statement I have concerning the case with dates ect that you may need. My phone number is 561-502-7609 if you have any questions.

I do need as quickly as possible.

Thank You

Irene Serio



So I will go there again today. The lady at the court house yesterday gave me an email that does not exist when I asked to get copies of case.

On Jan 18, 2024, at 8:26 AM, Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov> wrote:

Good morning Ms. Serio,

I am confirming receipt of your email.

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
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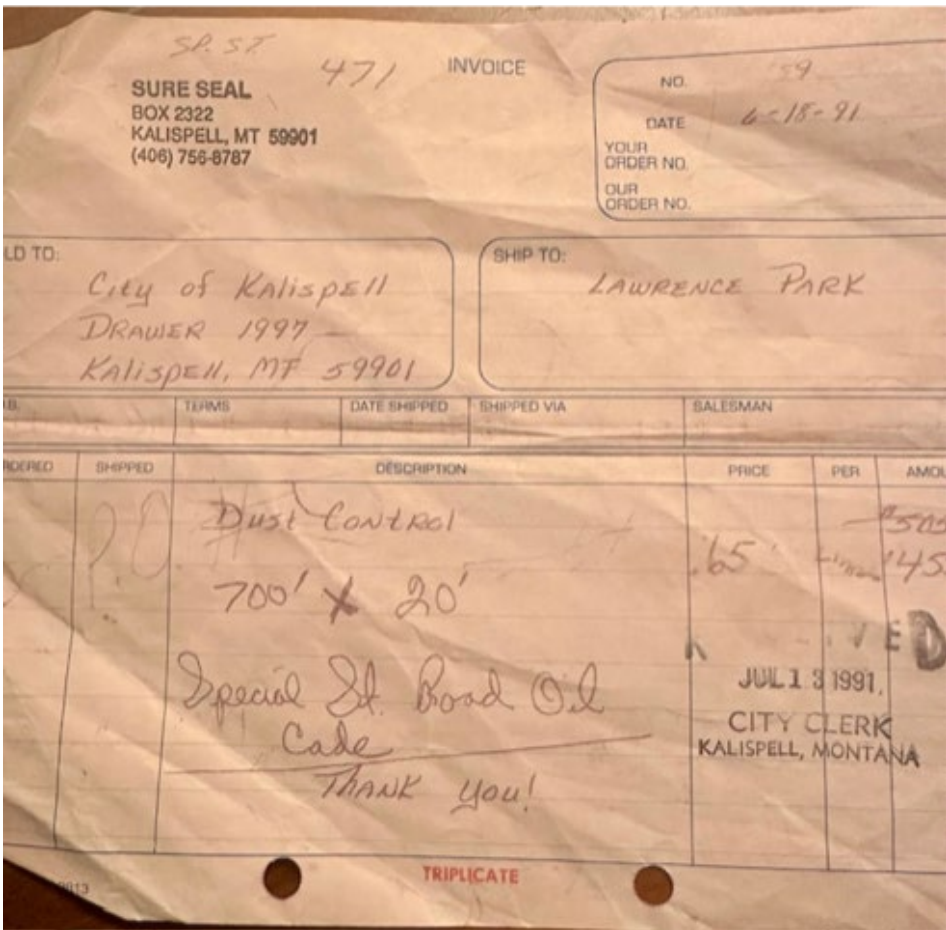
From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Wednesday, January 17, 2024 10:58 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Re: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear Sara,

I was unable Monday to get all the exhibits from The Clerk and Records Office in Kalispell because it was Martin Luther Kings day on Monday. I did go today to get the records that contain exhibits in the law Suit of Flathead Cty vs Sure Seal, but was informed to email what I needed and they will get them because of it being so far back.

When all of this started and during the process, we tried to fight hard, as you will maybe understand from some of my correspondence today to you. At the time I was younger and did not understand the process of presenting precedent or quoting law in fighting a legal case. We could not afford an attorney to fight the county so we had to try. I did get it as far as the Supreme Court. When it got as far as to Supreme Court we were living in Florida where we found work now that we were out of business in Montana. Our friends knew an attorney in Great Falls Montana that tried to fight for us in the Supreme court but because the original paper work lacked the needed basic education to present properly a defense, we lost. The Flathead County did dismissed all the fines. Im not sure why. We did contact the local news. The TV station did interview us. It never aired. I don't know why or if they contacted the Flathead County and they decided to drop the fines. I am not sure. This is one of many Exhibits that I will get from the Flathead County Clerk and Records office on Flathead County vs Sure Seal. Today I am sending you this First Exhibit and some explanation on when and how this Case started.



1. We Read in the local news paper back then, that our Company Sure Seal was being fined \$30,000.00. (we had 4 Children). There was no one that had talked to us at all about any of this.

The only contact the County reached out to was our 16 year old Son, Jesse while he was on our land that happens to adjoin the Flathead County's Gravel Pit. Jesse was performing a test Patch to see if the consistency was right for the spray bar. Jesse told us that some guys came up on the land while he was doing this and asked him questions.

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Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Rae, Sarah (she/her/hers)
Sent: Wednesday, January 10, 2024 3:10 PM
To: Anthony Serio <tonyserio2017@gmail.com>
Subject: RE: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

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Sarah Rae
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US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

-----Original Message-----

From: Anthony Serio <tonyserio2017@gmail.com>
Sent: Wednesday, January 10, 2024 12:05 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: Valley Drive Kalispell, Flathead County, Montana Ref: 80RC-LE-C

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Ref: 80RC-LE-C

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I appreciate your understanding in this matter and will be sending exhibits.

Thank You Irene Serio

From: [Rae, Sarah \(she/her/hers\)](#)
To: [Irene Serio](#)
Subject: Kalispell Valley Drive Tanks - EPA Demand Letter
Date: Tuesday, August 15, 2023 9:07:00 AM
Attachments: [Kalispell Valley Drive Tanks - Demand Letter 05 19 2023 signed.pdf](#)
[Kalispell Valley Drive Tanks - Certified Cost Package THRU 12-31-22.pdf](#)
[smallbusinessinfo.pdf](#)

Dear Ms. Serio,

I have attached a courtesy copy of the Demand Letter EPA sent to you via Certified Mail on May 24, 2023 and July 26, 2023 and via regular USPS mail on August 3, 2023. Please give these matters your immediate attention. If you have any questions regarding this letter, please contact me by phone at (303) 312-6839 or by email at rae.sarah@epa.gov.

Thank you for your prompt attention to this matter.

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: [Rae, Sarah \(she/her/hers\)](#)
To: [Irene Serio](#)
Cc: [Peronard, Paul](#); [Edmunds, Crystal](#)
Subject: Kalispell Valley Drive Tanks - EPA Demand Letter
Date: Wednesday, July 26, 2023 1:26:00 PM
Attachments: [Kalispell Valley Drive Tanks - Demand Letter 05 19 2023 signed.pdf](#)
[Kalispell Valley Drive Tanks - Certified Cost Package THRU 12-31-22.pdf](#)
[smallbusinessinfo.pdf](#)

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Thank you for your prompt attention to this matter.

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: [Rae, Sarah \(she/her/hers\)](#)
To: [Tony Serio](#)
Subject: RE: 450 gal oil spill
Date: Wednesday, June 14, 2023 4:10:00 PM

Good afternoon Mr. Serio,

I have included information below that describes how to report and oil spill.

Who do I call to report an oil or chemical spill or other environmental emergency that poses a sudden threat to public health?

- For emergencies and other sudden threats to public health, such as:
 - oil and/or chemical spills,
 - radiation emergencies, and
 - biological discharges,call the **National Response Center at 1-800-424-8802.**

<https://www.epa.gov/pesticide-incidents/how-report-spills-and-environmental-violations#who>

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers



From: Tony Serio <sseriotony@aol.com>
Sent: Wednesday, June 14, 2023 3:54 PM
To: Rae, Sarah (she/her/hers) <Rae.Sarah@epa.gov>
Subject: 450 gal oil spill

4080 Whitefish stage rd
Kalispell Mt
Spiller Titan asphalt Sealcoating























Sent from my iPhone

From: [Rae, Sarah](#)
To: [Irene Serio](#)
Cc: [Peronard, Paul](#)
Bcc: [Morales, Nicholas \(ENRD\)](#)
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Thursday, September 29, 2022 2:28:00 PM

Good afternoon Ms. Serio,

As requested, EPA has sent the split samples to you at 209 Lake Hills Court Bigfork Montana 59911. The FedEx tracking number for the package is: 278466027243.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

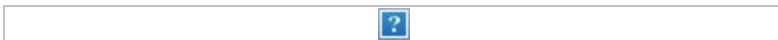


From: Rae, Sarah
Sent: Monday, September 26, 2022 7:03 AM
To: Irene Serio <reneserio1956@icloud.com>
Cc: Peronard, Paul <Peronard.Paul@epa.gov>
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Thank you Irene. We will send the split samples to you at 209 Lake Hills Court Bigfork Montana 59911.

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers



From: Irene Serio <reneserio1956@icloud.com>
Sent: Friday, September 23, 2022 5:54 PM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant

and Opportunity for Split Samples

My Address has been and is 209 Lake Hills Court Bigfork Montana 59911. Same as my Drivers License Since 2010. 22 Years.

Irene Serio

On Sep 23, 2022, at 5:11 PM, "Rae, Sarah" <Rae.Sarah@epa.gov> wrote:

Ms. Serio,

Per your request, I am forwarding my email correspondence from today to the new email address you have provided. I will use this email address going forward for any correspondence regarding 185 West Valley Drive. Please respond to this email and provide me with an alternative address to send the split samples. We are not able to send them to the PO Box that you previously provided.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers

From: Rae, Sarah

Sent: Friday, September 23, 2022 1:02 PM

To: Tony Serio <sseriotony@aol.com>

Cc: Peronard, Paul <Peronard.Paul@epa.gov>

Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Importance: High

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From: Rae, Sarah
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Cc: Peronard, Paul <Peronard.Paul@epa.gov>
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Ms. Serio,

I received your voicemail this morning and attempted to call you back just now at (561) 502-7609. In your voicemail you requested that EPA provide you with split samples. In the emails below, you requested that the split samples be sent to you at the following address: PO Box 521, Kalispell, Montana 59903. We will move forward with sending the split samples to you at this address.

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Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

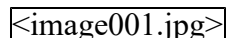
1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Rae, Sarah

Sent: Friday, September 9, 2022 6:57 AM

To: Tony Serio <sseriotony@aol.com>

Cc: Peronard, Paul <Peronard.Paul@epa.gov>

Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Dear Ms. Serio,

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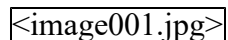
1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Tony Serio <sseriotony@aol.com>

Sent: Wednesday, July 27, 2022 3:09 PM

To: Rae, Sarah <Rae.Sarah@epa.gov>

Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Request for Access to Property

Fuck you and the horse u rode in with

Sent from my iPhone

On Jul 27, 2022, at 2:32 PM, Rae, Sarah <Rae.Sarah@epa.gov> wrote:

Ms. Irene Serio,

Please read the attached letter regarding the leaking tanks of “Tac Oil” at 185 West Valley Drive. I have also mailed this letter to you at the addresses listed in the letter. EPA is planning to deploy a response team to investigate and address the tanks pursuant to its authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), 42 U.S.C. §§ 9601, the Clean Water Act (“CWA”), 33 U.S.C. §1251 et seq. (1972), and the Oil Pollution Act (“OPA”), 33 U.S.C. §2701 et seq. (1990).

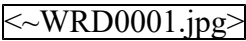
Please sign and return the Consent for Access to Property form, which will allow EPA and its contractors to investigate and address the tanks on your Property. You can email to me a scanned copy or a photo image of the signed form and, thereafter, send the original to me at:

Sarah Rae (Mail Code ORC-C)
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202

We need to act quickly. If we do not hear back from you within the next seven days, we will assume that you are denying access and will consider requesting access from the federal district court in Montana. If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information. Please give this matter your immediate attention. We appreciate your cooperation in this matter.

Respectfully,

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(303) 312-6839
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<KalisPELL Valley Drive Tanks -Request for Access
Cover Letter 07 27 2022 FINAL.pdf>

<KalisPELL Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf>

<Signed Warrant.pdf>

From: [Rae, Sarah](#)
To: [Irene Serio](#)
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Monday, September 26, 2022 2:52:00 PM

Good afternoon Ms. Serio,

I am confirming that I have received this information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



From: Irene Serio <reneserio1956@icloud.com>

Sent: Monday, September 26, 2022 1:24 PM

To: Rae, Sarah <Rae.Sarah@epa.gov>

Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Hi Sara,

I am inclosing some of the Exhibits that were filed with Flathead County many years ago.

Our hard efforts and using Pine Tar Pitch was already being done in Canada at the time. After visiting the Sight in Canada in the 90s we came home to the Flathead Valley, with our 4 kids, to make an affordable Safe dust Control. You will see as one of the exhibits that Waste oil was not to be used on Roads and we were in the Dust Control Business.

We came up with a solution. We were paid to pick up the product at Champion and Plum Creek as you see in the pdf I am sending. We have MSD sheet on the product

from Colloid Lab you can find this also in Flathead County Court House.

When we picked up Pine Tar Pitch from the Lumber Mills, it was too thick to use so we found environmental product to mix with it, cutting the cost of Dust Control in Half for the customers in the Valley. We then sent samples to Collied Lab.

Collide Lab said it was environmentally safe. (MSD from them is an exhibit I can get you). And is in County records.

The Big Mountain Ski Resort loved the product. The City of Kalispell used it in some of their alleys. The County was another story. One day we read in paper local Dust Control Business being sued I think \$10,000.00 if I remember right. VERY EMBARRASSING as I owned a Dance Studio at the time. Plus our customers would be alarmed! The Flathead County put an injection on us and we thought we were living in a communist Country. It was Hard to fight without an attorney but we tried hard. We went as far as Supreme Court. We never had to pay the bogus Flathead County trumped up charge.

The Flathead County said we dumped it in a dump. LIE. The land was once a Dump and we did all our test patches on a road on the land where your guy has his white trailer right now on the land on a road that goes up the hill. Pine tar Pitch comes from trees from the lumber mills. One of the sheets I am sending-You will see where we put tall on roads — people paid us. Tall is for Tall Pine. That is what is in most those Tanks.

It is my opinion that The Flathead County (staff) forced us out of business because of the kick backs they had going on with

Lyman Dust Control. When jobs came up for Bid only Lyman was asked to bid. Bids back then were not put out for bid like now. 30 Years later Lyman Dust Control is the only Dust Control Business in the Flathead Valley. Like I said we had a safe cheeper way for the public to get Dust Control on all the Dirt roads in the Valley. We were attacked for it.

We returned back to Montana in 2020 during Covid, and have the oil in the one tank sold for A dust Control Job next spring.

Our plans were to clean up the land this Fall 2022, when our work season slowed down. (We Seal Asphalt, it is seasonal.) We have approached Plum Creek and Champion in the past for their help because of the Cradle to Grave Law.

But we have not been able to afford an attorney to get them to help. (I have that documentation) We have 5 Children - most live in Montana. We had to leave our home for over 20 years and work start over in another state. My husband is 70 now and I am 66.

All the past and why those tanks are there is will documented in The Flathead County

I have a lot more to send you about this but this is what I have now in my Computar. If you want to read about what is on that land for product and where it came from look at Flathead County Records - Flathead County VS Sure Seal Infact you guys took that original Sure Seal Tank off that land I saw today.

Thank You
Irene Serio
561-502-7609

On Sep 26, 2022, at 7:03 AM, Rae, Sarah <Rae.Sarah@epa.gov> wrote:

Thank you Irene. We will send the split samples to you at 209 Lake Hills Court Bigfork Montana 59911.

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<image001.jpg>

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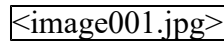
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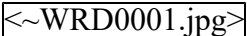
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Please sign and return the Consent for Access to Property form, which will allow EPA and its contractors to investigate and address the tanks on your Property. You can email to me a scanned copy or a photo image of the signed form and, thereafter, send the original to me at:

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<KalisPELL Valley Drive Tanks -Request for Access
Cover Letter 07 27 2022 FINAL.pdf>

<KalisPELL Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf>

<Signed Warrant.pdf>

From: [Rae, Sarah](#)
To: [Irene Serio](#)
Cc: [Peronard, Paul](#)
Bcc: [Morales, Nicholas \(ENRD\)](#)
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Monday, September 26, 2022 7:03:00 AM

Thank you Irene. We will send the split samples to you at 209 Lake Hills Court Bigfork Montana 59911.

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers



From: Irene Serio <reneserio1956@icloud.com>
Sent: Friday, September 23, 2022 5:54 PM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

My Address has been and is 209 Lake Hills Court Bigfork Montana 59911. Same as my Drivers License Since 2010. 22 Years.

Irene Serio

On Sep 23, 2022, at 5:11 PM, "Rae, Sarah" <Rae.Sarah@epa.gov> wrote:

Ms. Serio,

Per your request, I am forwarding my email correspondence from today to the new email address you have provided. I will use this email address going forward for any correspondence regarding 185 West Valley Drive. Please respond to this email and provide me with an alternative address to send the split samples. We are not able to send them to the PO Box that you previously provided.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Rae, Sarah

Sent: Friday, September 23, 2022 1:02 PM

To: Tony Serio <sseriotony@aol.com>

Cc: Peronard, Paul <Peronard.Paul@epa.gov>

Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana -
Notice of Ex Parte Warrant and Opportunity for Split Samples

Importance: High

Ms. Serio,

Please respond to this email and provide me with an alternative address to send the split samples. We are not able to send them to the PO Box that you previously provided.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Rae, Sarah

Sent: Friday, September 23, 2022 11:36 AM

To: Tony Serio <sseriotony@aol.com>

Cc: Peronard, Paul <Peronard.Paul@epa.gov>

Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana -
Notice of Ex Parte Warrant and Opportunity for Split Samples

Ms. Serio,

I received your voicemail this morning and attempted to call you back just now at (561) 502-7609. In your voicemail you requested that EPA provide you with split samples. In the emails below, you requested that the split samples be sent to you

at the following address: PO Box 521, Kalispell, Montana 59903. We will move forward with sending the split samples to you at this address.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: Tony Serio <sseriotony@aol.com>
Sent: Friday, September 23, 2022 10:36 AM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

If you can not send to my PO Box you can send to the address on my Drivers License.

Sent from my iPhone

From: Tony Serio <sseriotony@aol.com>
Sent: Friday, September 23, 2022 10:26 AM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

That is Not My Address on the attached . You should have had the right address for me it's on my Drivers License for years!!! I have nothing to do with Antler Bluff !! Send all samples to my PO Box 521 kalispell montana 59903

Sent from my iPhone

From: Tony Serio <sseriotony@aol.com>
Sent: Friday, September 23, 2022 10:17 AM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Never searved with any papers what so ever. My husband handed this e-mail me today. 1st time I ever saw anything about this!!!

Sent from my iPhone

From: Tony Serio <sseriotony@aol.com>
Sent: Friday, September 23, 2022 10:15 AM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Tanks were not leaking
I want all samples. I was never contacted about any of this. Pine tar pitch from Stimpson and Plum Creek - cradle to grave law they are responsible for product in tanks.

Sent from my iPhone

On Sep 23, 2022, at 9:50 AM, Rae, Sarah <Rae.Sarah@epa.gov> wrote:

Dear Ms. Serio,

EPA previously contacted you via letter, email, and phone regarding the leaking tanks on your property located 185 West Valley Drive in Kalispell, Montana and requested that you sign a Consent for Access form. You informed EPA that you would not provide consent to access the property. EPA is now notifying you that it has obtained a warrant from the federal district court for the District of Montana to investigate and cleanup the tanks and releases of hazardous substances on your property. The warrant has been issued pursuant to EPA's authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9601 et seq. A copy of the warrant is enclosed.

EPA is required to provide you with a receipt describing any samples obtained on your property, the results of any analysis made of such samples, and if requested, a portion of any samples taken ("split samples"). 42 U.S.C. § 9604(e)(4)(b). The receipt and any sampling analysis results will be provided via mail at the address listed in the attached cover letter. We did not receive a response to the September 9, 2022 correspondence, therefore we assume that you do not want EPA to provide split samples. I have CCed EPA On-Scene Coordinator, Paul Peronard, who will be performing the sampling.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel

US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers
<image001.jpg>

From: Rae, Sarah
Sent: Friday, September 9, 2022 6:57 AM
To: Tony Serio <sseriotony@aol.com>
Cc: Peronard, Paul <Peronard.Paul@epa.gov>
Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Dear Ms. Serio,

EPA previously contacted you via letter, email, and phone regarding the leaking tanks on your property located 185 West Valley Drive in Kalispell, Montana and requested that you sign a Consent for Access form. You informed EPA that you would not provide consent to access the property. EPA is now notifying you that it has obtained a warrant from the federal district court for the District of Montana to investigate and cleanup the tanks and releases of hazardous substances on your property. The warrant has been issued pursuant to EPA's authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9601 et seq. A copy of the warrant is enclosed.

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Respectfully,

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8

1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers
<image001.jpg>

From: Tony Serio <sseriotony@aol.com>
Sent: Wednesday, July 27, 2022 3:09 PM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Request for Access to Property

Fuck you and the horse u rode in with

Sent from my iPhone

On Jul 27, 2022, at 2:32 PM, Rae, Sarah <Rae.Sarah@epa.gov> wrote:

Ms. Irene Serio,

Please read the attached letter regarding the leaking tanks of “Tac Oil” at 185 West Valley Drive. I have also mailed this letter to you at the addresses listed in the letter. EPA is planning to deploy a response team to investigate and address the tanks pursuant to its authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), 42 U.S.C. §§ 9601, the Clean Water Act (“CWA”), 33 U.S.C. §1251 et seq. (1972), and the Oil Pollution Act (“OPA”), 33 U.S.C. §2701 et seq. (1990).

Please sign and return the Consent for Access to Property form, which will allow EPA and its contractors to investigate and address the tanks on your Property. You can email to me a scanned copy or a photo image of the signed form and, thereafter, send the original to me at:

Sarah Rae (Mail Code ORC-C)
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202

We need to act quickly. If we do not hear back from you within the next seven days, we will assume that you are denying access and will consider requesting access from the federal district court in Montana. If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information. Please give this matter your immediate attention. We appreciate your cooperation in this matter.

Respectfully,

Sarah Rae

Senior Assistant Regional Counsel

US EPA – Region 8

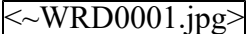
1595 Wynkoop Street

Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



<KalisPELL Valley Drive Tanks -Request for Access
Cover Letter 07 27 2022 FINAL.pdf>

<KalisPELL Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf>

<Signed Warrant.pdf>

From: [Rae, Sarah](#)
To: [Tony Serio](#)
Cc: [Peronard, Paul](#)
Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Friday, September 23, 2022 9:50:00 AM
Attachments: [Kalispell Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf](#)
[Signed Warrant.pdf](#)

Dear Ms. Serio,

EPA previously contacted you via letter, email, and phone regarding the leaking tanks on your property located 185 West Valley Drive in Kalispell, Montana and requested that you sign a Consent for Access form. You informed EPA that you would not provide consent to access the property. EPA is now notifying you that it has obtained a warrant from the federal district court for the District of Montana to investigate and cleanup the tanks and releases of hazardous substances on your property. The warrant has been issued pursuant to EPA's authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9601 et seq. A copy of the warrant is enclosed.

EPA is required to provide you with a receipt describing any samples obtained on your property, the results of any analysis made of such samples, and if requested, a portion of any samples taken ("split samples"). 42 U.S.C. § 9604(e)(4)(b). The receipt and any sampling analysis results will be provided via mail at the address listed in the attached cover letter. We did not receive a response to the September 9, 2022 correspondence, therefore we assume that you do not want EPA to provide split samples. I have CCed EPA On-Scene Coordinator, Paul Peronard, who will be performing the sampling.

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From: Rae, Sarah
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To: Tony Serio <sseriotony@aol.com>
Cc: Peronard, Paul <Peronard.Paul@epa.gov>
Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

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Sarah Rae (Mail Code ORC-C)
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1595 Wynkoop Street
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(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

From: [Rae, Sarah](#)
To: [Tony Serio](#)
Cc: [Peronard, Paul](#)
Bcc: [Morales, Nicholas \(ENRD\)](#)
Subject: RE: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Friday, September 23, 2022 1:01:00 PM
Importance: High

Ms. Serio,

Please respond to this email and provide me with an alternative address to send the split samples. We are not able to send them to the PO Box that you previously provided.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

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US EPA – Region 8

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Denver, CO 80202

(303) 312-6839

Rae.Sarah@epa.gov

Pronouns: she/her/hers



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Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

That is Not My Address on the attached . You should have had the right address for me it's on my Drivers License for years!!! I have nothing to do with Antler Bluff !! Send all samples to my PO Box 521 kalispell montana 59903

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To: Rae, Sarah <Rae.Sarah@epa.gov>

Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Never searved with any papers what so ever. My husband handed this e-mail me today. 1st time I ever saw anything about this!!!

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To: Rae, Sarah <Rae.Sarah@epa.gov>

Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples

Tanks were not leaking

I want all samples. I was never contacted about any of this. Pine tar pitch from Stimpson and Plum Creek - cradle to grave law they are responsible for product in tanks.

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Sarah Rae

Senior Assistant Regional Counsel

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To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Request for

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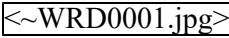
Sarah Rae (Mail Code ORC-C)
US EPA – Region 8
1595 Wynkoop Street
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Rae.Sarah@epa.gov

Pronouns: she/her/hers



<Kalispell Valley Drive Tanks -Request for Access Cover Letter 07 27 2022
FINAL.pdf>

<Kalispell Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf>

<Signed Warrant.pdf>

From: [Rae, Sarah](#)
To: [Tony Serio](#)
Cc: [Peronard, Paul](#)
Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Notice of Ex Parte Warrant and Opportunity for Split Samples
Date: Friday, September 9, 2022 6:56:00 AM
Attachments: [Kalispell Valley Drive Tanks - Warrant Cover Letter SIGNED.pdf](#)
[Signed Warrant.pdf](#)

Dear Ms. Serio,

EPA previously contacted you via letter, email, and phone regarding the leaking tanks on your property located 185 West Valley Drive in Kalispell, Montana and requested that you sign a Consent for Access form. You informed EPA that you would not provide consent to access the property. EPA is now notifying you that it has obtained a warrant from the federal district court for the District of Montana to investigate and cleanup the tanks and releases of hazardous substances on your property. The warrant has been issued pursuant to EPA's authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9601 et seq. A copy of the warrant is enclosed.

EPA is required to provide you with a receipt describing any samples obtained on your property, the results of any analysis made of such samples, and if requested, a portion of any samples taken ("split samples"). 42 U.S.C. § 9604(e)(4)(b). The receipt and any sampling analysis results will be provided via mail at the address listed in the attached cover letter. If you would like to request split samples, you may do so by emailing me at Rae.Sarah@epa.gov. If we do not hear back from you within the next **five days**, we will assume that you do not want EPA to provide split samples. I have CCed EPA On-Scene Coordinator, Paul Peronard, who will be performing the sampling.

If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers



From: Tony Serio <sseriotony@aol.com>
Sent: Wednesday, July 27, 2022 3:09 PM
To: Rae, Sarah <Rae.Sarah@epa.gov>
Subject: Re: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Request for Access to Property

Fuck you and the horse u rode in with

Sent from my iPhone

On Jul 27, 2022, at 2:32 PM, Rae, Sarah <Rae.Sarah@epa.gov> wrote:

Ms. Irene Serio,

Please read the attached letter regarding the leaking tanks of “Tac Oil” at 185 West Valley Drive. I have also mailed this letter to you at the addresses listed in the letter. EPA is planning to deploy a response team to investigate and address the tanks pursuant to its authority provided under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA”), 42 U.S.C. §§ 9601, the Clean Water Act (“CWA”), 33 U.S.C. §1251 et seq. (1972), and the Oil Pollution Act (“OPA”), 33 U.S.C. §2701 et seq. (1990).

Please sign and return the Consent for Access to Property form, which will allow EPA and its contractors to investigate and address the tanks on your Property. You can email to me a scanned copy or a photo image of the signed form and, thereafter, send the original to me at:

Sarah Rae (Mail Code ORC-C)
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202

We need to act quickly. If we do not hear back from you within the next seven days, we will assume that you are denying access and will consider requesting access from the federal district court in Montana. If you have any questions, please contact me at (303) 312-6839 or Rae.Sarah@epa.gov. If you are represented by legal counsel, please provide me with the name of your attorney and contact information. Please give this matter your immediate attention. We appreciate your cooperation in this matter.

Respectfully,

Sarah Rae
Senior Assistant Regional Counsel
US EPA – Region 8
1595 Wynkoop Street
Denver, CO 80202
(303) 312-6839
Rae.Sarah@epa.gov
Pronouns: she/her/hers

<Kalispell Valley Drive Tanks -Request for Access Cover Letter 07 27 2022 FINAL.pdf>

From: [Rae, Sarah](#)
To: sseriotony@aol.com; SERIOIRENE@AOL.COM
Subject: Leaking Tanks at 185 West Valley Drive, Kalispell, Montana - Request for Access to Property
Date: Wednesday, July 27, 2022 2:32:00 PM
Attachments: [Kalispell Valley Drive Tanks -Request for Access Cover Letter 07 27 2022 FINAL.pdf](#)

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Respectfully,

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