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LEWIS, LONGMAN & WALKER, P.A.
ATTORNEYS AT LAW

Reply to: Bradenton

September 10, 2009

VIA FEDERAL EXPRESS OVERNIGHT

US EPA Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960
ATTN: Pamela McIlvaine (PTSB)

RE: City of Marco Island – Second Request for Information Pursuant
To Section 1114(a) of the CAA – *LLW File No. 783-003*

Dear Ms. McIlvaine:

This letter responds on behalf of the City of Marco Island to EPA's requests for information dated August 12, 2009. The information provided herein supplements the joint response of Quality Enterprises, USA Inc. and the City of Marco Island, which is being provided under separate cover.

On the CD enclosed herein, please find additional information responsive to Questions #4, 6, 7, 10 and 11. It is noted that the City's inspector for the project, Kimley-Horn & Associates, has not been able to recover all of their archived photographs as of the date of this submittal. It is expected that additional photographs will be recovered and provided to the EPA once they are available. We will keep you informed accordingly.

In addition, enclosed herein, is an original signed and notarized statement from Mr. Joel in response to Question #18.

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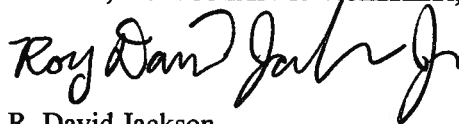
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Pamela McIlvaine
US EPA Region 4
September 10, 2009
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If you have any questions concerning this response, please contact me at
(941) 708-4040.

Sincerely,

LEWIS, LONGMAN & WALKER, P.A.



R. David Jackson

RDJ/cej

Enclosures

cc: Robert Caplan, Esquire, EPA Region 4 Counsel (w/encls.)
Kevin Hennessy, Esquire (w/o encls.)
Rony Joel, City of Marco Island (w/encls.)
Patrick A. Genzler, Esquire, Quality Enterprises, USA Inc. Counsel (w/encls.)

I, A. Rony Joel, hereby swear and affirm that the following is a true and accurate statement regarding my comments made during the March 6, 2006, City of Marco Island City Council meeting. At that time I held my current position as Public Works Director for the City of Marco Island. In response to inquiries from the City Council about the use of Veterans' Community Park as an equipment staging and material storage area for the Collier Boulevard construction project, I made statements during the meeting regarding the handling of asbestos-cement pipe. I made additional comments in response to questions and comments from the public in attendance at the meeting.

In particular, I indicated that asbestos-cement pipe was being crushed at the staging site based on my observations. First, I was mistaken that it was asbestos-cement pipe I saw being crushed at the staging site prior to the March 6, 2006, City Council meeting. Since I was well aware that asbestos-cement pipe has been and still is part of the public infrastructure on Marco Island, I assumed that the pipe I saw was asbestos-cement pipe. After that meeting, I was informed by Mike Daniel, Construction Manager for the City of Marco Island, that the material I saw being crushed at the site was actually fiberglass reinforced concrete pipe, which I have been told looks similar to asbestos-cement pipe. Further, it was explained to me that the fiberglass reinforced concrete pipe was being used as small-diameter storm drain pipe that was removed due to conflicts with the new drainage system.

During the meeting, I also made comments about the pipe being crushed not being friable or hazardous. Considering the pipe turned out to not be asbestos-cement, this statement was, in fact, true. However, I recognize that my statements may have been erroneous had the pipe being crushed been asbestos-cement pipe and if proper handling procedures were not being followed. By no means do I consider myself to be an expert in this area, but in my role as Public Works Director for the City of Marco Island, it was my responsibility to answer these concerns from the City Council and the citizens, which I did to the best of my knowledge at the time of the City Council Meeting.

Respectfully submitted this 9 day of September, 2009.



A. Rony Joel, Public Works Director
City of Marco Island

The foregoing instrument was sworn and subscribed before me this 9th day of September, 2009 by A. Rony Joel: who [check one] is personally known to me has produced _____ as identification.



Notary Public, State of Florida

Notary Public's Stamp/Seal



BARBARA A. LAWRENCE
MY COMMISSION # DD 675616
EXPIRES: July 29, 2011
Bonded Thru Budget Notary Services