

Thursday, October 13, 2011 at about 12::30 PM

I received a phone conference call from attorney(s) Mr Jim Walle and Ms Rowena Adamowski re RO225 located at 555 Hegenberger Rd. Mr Walle identified himself as an attorney for General Motors LLC (the new GM). Ms. Adamowski is working on the adjacent GM facility on Coliseum Way (RO 1389). The position they stated was that the new GM was a new company formed in 2009 and was not a part of the General Motors Corporation (old GM) but that it had acquired some of the assets belonging to old GM and happens to be in the same line of work. He said the old GM is now the Motors Liquidation Company. The old GM leased the property through 1997 from Caltrans. The old GM occupied the Hegenberger property after the USTs were removed. The position was stated the old GM used the parcel for vehicle storage only and was never an operator or owner of the USTs present on the Caltrans parcel. Mr Walle did say the new GM does own the property located at 8099 Coliseum Way and that contamination from the Hegenberger site had migrated to the Coliseum Way property. He said Caltrans was the owner and operator of the USTs. Mr Walle said they would mail out a letter outlining their position. The Caltrans property was described as having a horseshoe shape with the GM- Coliseum Way property in the interior of the shoe.

Mr Walle said the old GM bankruptcy was Section 363 covering the bankruptcy code which does not allow for the transference of environmental liability. He said an environmental trust had been set up to cover old GMs' environmental issues and that the funds have all been allocated.

I asked questions clarifying their position and stated the County Assessor's office lists GM as having been the property owner. I commented on the RP definition of if they were the property owner or operator at the time of the release GM would be liable for the environmental cleanup. I said I was not an attorney and that in my opinion, a bankruptcy would not indemnify GM from its cleanup responsibilities. I requested they state their position in writing .

Mr Walle confirmed a letter would be written and in the mail no later than next Monday. He asked if I could contact the Assessor to determine the source of the County information- I said nothing. He added that if needed, a title search could be performed.

Mr Jim Walle and Ms Rowena Adamowski provided their contact information as:

Mr Jim Walle- 313 / 665 – 4877, 300 Renaissance Center, Detroit, MI

Ms Rowena Adamowski- 586 / 404 – 0500

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