



Paul Weese/R9/USDAFS

02/08/2008 08:32 AM

To Anthony Scardina/R9/USDAFS@FSNOTES

cc Jim Apgar/R9/USDAFS@FSNOTES, Len
Jedrek/R9/USDAFS@FSNOTES

bcc

Subject Fw: Litigation Hold - Duhring Case 07-314

Tony... The cost estimate Len provided to repair FR148 is below. He estimated it would cost approximately \$810. I didn't receive the word document when you forwarded this e-mail to me. I assuming Len and/or Jim still have the pictures of the unauthorized pipeline. If you need additional info, please let me know.... PGW

----- Forwarded by Paul Weese/R9/USDAFS on 02/08/2008 08:27 AM -----



Anthony
Scardina/R9/USDAFS

01/11/2008 07:40 AM

To Paul Weese/R9/USDAFS@FSNOTES

cc

Subject Fw: Litigation Hold - Duhring Case 07-314

Have we done anything with this? Also, have we made any progress on the Atlas brine dumping issue?

Anthony V. Scardina
Allegheny National Forest
District Ranger, Bradford Ranger District

29 Forest Service Drive
Bradford, PA 16701

TEL: 814-363-6098, CELL: 814-688-3677
FAX: 814-362-2761, EMAIL: ascardina@fs.fed.us

----- Forwarded by Anthony Scardina/R9/USDAFS on 01/11/2008 07:40 AM -----

James Seyler/R9/USDAFS

12/20/2007 12:03 PM

To Anthony Scardina/R9/USDAFS@FSNOTES

cc

Subject Re: Fw: Litigation Hold - Duhring Case 07-314

Tony,

This info should be used by the respective LEO to take action on this case.

Jim Seyler
Technical Services Staff Officer
Allegheny National Forest
814.728.6239
Jim Apgar/R9/USDAFS

Jim Apgar/R9/USDAFS

12/20/2007 11:16 AM

To Lois Demarco/R9/USDAFS@FSNOTES, James
Seyler/R9/USDAFS@FSNOTES

cc Paul Weese/R9/USDAFS@FSNOTES, Anthony
Scardina/R9/USDAFS@FSNOTES, Len
Jedrek/R9/USDAFS@FSNOTES

Subject Fw: Litigation Hold - Duhring Case 07-314

I forwarded the e-mail to Shannon Swaziak to share with OGC. An attached word document sent with it

had 4 pictures taken by Len Jedrek, but it made the document 7 meg so I deleted before sending it to you.

000805

Jim Apgar
Forest Environmental Coordinator
phone# 814-728-6282
fax# 814-723-1465
e-mail japgar@fs.fed.us

----- Forwarded by Jim Apgar/R9/USDAFS on 12/20/2007 11:14 AM -----

Jim Apgar/R9/USDAFS

12/20/2007 11:12 AM

To Shannon L Swaziek/R9/USDAFS

cc

Subject Fw: Litigation Hold - Duhring Case 07-314

Shannon, Here is the info on the unauthorized pipeline. I discussed what costs to rectify the problem here and he gave me this estimate:

One load limestone surfacing -	\$600
Back hoe one hour	60
Mobilize	100
Metal const tape or trace wire	<u>50</u>
Total	\$810

Attached word document has color pictures you can print to a color printer.

Jim Apgar
Forest Environmental Coordinator
phone# 814-728-6282
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----- Forwarded by Jim Apgar/R9/USDAFS on 12/20/2007 10:06 AM -----

Len Jedrek/R9/USDAFS

12/20/2007 09:24 AM

To Jim Apgar/R9/USDAFS

cc Len Jedrek/R9/USDAFS

Subject Re: Fw: Litigation Hold - Duhring Case 07-314

Jim,
Here is some info regarding the pipeline photographs:

On 9/28/07, while doing some timber sale road work administration for the Rock Run timber sale, I noticed that Duhring Resources had open cut and backfilled a plastic pipeline across the entrance of FR 148 at the intersection with SR 948.

This work upset me because it was in a limestone surfaced segment on FR 148 and the trench was already settled indicating poor compaction. No limestone aggregate was used to backfill or to provide an "in-kind" replacement of the previous existing running surface.

After dealing with several OGM lines during pipe replacements along FR 148 involving Duhring, I'm sure this new crossing also lacked plastic marker tape or a tracer wire.

I contacted OGM administrator Sheldon Winters and we got together later in the afternoon to look over the situation. Sheldon said he would speak with Paul Weese.

I later called Paul and told him I could fix the crossing with limestone I had remaining on the sale contract. Paul said no, Sheldon was going to contact Duhring to fix the settling.

Later, the next week I noticed that a half-hearted attempt was made to backfill the trench settlement by backfilling a 5' wide width with oversize material. It was a poor attempt to correct the situation.

In a related matter, Duhring did a similar open trenching on FR 103 and 103A, no coordination with the F.S. to impact our system roads and their backfilling was done poorly.

Len Jedrek Civil Engineer ANF

