

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

February 9, 2011

Mr. Michael Desso
Nestle USA, Inc.
800 North Brand Blvd.
Glendale, CA 91203

Mr. Mark Hall
Encinal 14th Street, LLC
1855 Olympic Blvd., Suite 250
Walnut Creek, CA 94596

Subject: Request for Regulatory Oversight Funds for Fuel Leak Case No. RO0000018 and Geotracker Global ID T0600100262, Carnation Dairy, 1310 14th Street, Oakland, CA 94607

Dear Mr. Desso and Mr. Hall:

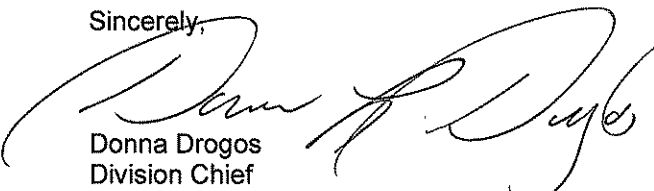
Future closure of your case is expected to leave a significant amount of residual contamination in place. In order to prevent future exposure to the residual contamination, the site management requirements that are described in the "*Covenant and Environmental Restriction on Property*" and "*Risk Management Plan*," dated February 3, 2011, must be implemented and maintained. ACEH is requesting a deposit of \$8,000 to cover future regulatory oversight costs for periodic site inspections, assuring that the site management requirements are maintained in the future, and answering inquiries from future developers, buyers, occupants, or neighbors regarding the residual contamination.

In the event that the site is to be redeveloped, approved development/construction plans are to be submitted to ACEH for review and approval. At the time of plan submittal, ACEH would request funds directly from the redeveloper to cover regulatory costs for review and approval of development/construction plans.

Please send your check(s) for \$8,000 made payable to Alameda County Environmental Health to the attention of our Finance Department. If both responsible parties are sharing the costs equally, Encinal 14th Street LLC should submit a check for \$4,000 and Nestle USA should also submit a check for \$4,000. Please write "SLIC" (the type of project), the site address, and the Account ID# AR0320138 on your check.

If you have any questions, please contact Donna Drogos at 510-567-6721 or Jerry Wickham at 510-567-6791.

Sincerely,


Donna Drogos
Division Chief

Mr. Michael Desso
Mr. Mari Hall
RO0000018
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cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341,
Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Kenneth Cheitlin, Hall Equities Group, 1855 Olympic Blvd., Suite 250
Walnut Creek, CA 94596 (sent via E-mail to KenC@hallequitiesgroup.com)

Jennifer Costanza, Nestle USA, Inc., 800 North Brand Blvd.
Glendale, CA 91203 (sent via E-mail to jennifer.costanza@us.nestle.com)

Brent Searcy, Environmental Cost Management, 3525 Hyland Avenue, Suite 200, Costa Mesa, CA
92626 (sent via E-mail to bsearcy@ecostmanage.com)

Markus Niebanck, amicus, 580 Second Street, Suite 260, Oakland CA 94607 (Sent via E-mail to:
markus@amicusenv.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, e-File