

Detterman, Mark, Env. Health

From: Detterman, Mark, Env. Health
Sent: Monday, April 27, 2015 3:33 PM
To: 'Jon Wactor'
Cc: Carol Ebert; Roe, Dilan, Env. Health
Subject: RE: 6655 Hollis Emeryville (RO0000063)

Mr. Wactor,

Thank you for your email and phone call. As I mentioned in my voice mail, the concern at this site is the lack of a response to our most recent letter (DIR_L_2014-09-15 on Geotracker and on the ACEH website – see the link below my name), in conjunction with the additional indoor air vapor samples from two properties downgradient of the subject site that suggest a potential vapor intrusion concern. Previously, the case had been seeing steady progress, and it has been important to define the downgradient extent of the contamination at the site and vicinity. The “Notice to Comply” letter that was sent is a standard letter requesting actions at the site, as these continued site investigatory actions are what is used to determine compliance. If actions are forthcoming in a reasonable time frame, then no penalties are involved. As such ACEH regards the issues associated with this case to be a data driven rather than legal driven.

If you have the email address for Mr. Merkle, ACEH has found it best to communicate directly with him with communications, including directive letters. We have previously sought his email address, but have not received it.

Otherwise, please note that the ACEH website for the case will be somewhat more extensive than the one on Geotracker. You can use either the street address or case number (RO0000063) to link to the PDF documents on the web link listed below my name.

Should you have questions, please let me know.

Regards,

Mark Detterman
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PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: Jon Wactor [<mailto:JonWactor@ww-envlaw.com>]
Sent: Monday, April 27, 2015 2:46 PM
To: Detterman, Mark, Env. Health
Cc: Carol Ebert; MCcaulou, Cherie@Waterboards
Subject: 6655 Hollis Emeryville

Mr. Detterman: I have just been retained to assist the property owner with understanding this matter and responding to your inquiries. I would appreciate some time to get up to speed and request that any existing

requests from your agency be extended until mid-June to give me time to review the materials and discuss the matter with you and the other involved parties.

Thank you.

Best Regards,

Jon

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Jon K. Wactor, Esq.; Wactor & Wick LLP Environmental Attorneys; 180 Grand Avenue, Suite 950; Oakland, California 94612; Phone: 510.465.5750; Fax: 510.465.5697; Mobile: 415.816.3580; Email: jonwactor@ww-envlaw.com; Website: www.ww-envlaw.com. This e-mail is sent by a law firm and is privileged and confidential. If you are not the intended recipient, please delete the e-mail and any attachments without reading, printing, copying or forwarding it, and please notify us immediately. Thank you.

