

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

May 24, 2018

5801 Christie Owner LLC
c/o Ms. Kristy Micheltmore, RPA, BOMI-HP, Sr. Property Manager
Harvest Properties, Inc.
555 12th Street, Suite 650
Oakland, CA 94607

Subject: **Offsite Access** for Fuel Leak Case No. RO0000066 (Global ID #T0600100208), BP #11126;
1700 Powell Street, Emeryville, CA 94608

Dear Ms. Micheltmore:

Alameda County Department of Environmental Health (ACDEH) understands that Ms. Hollis Phillips (Representative for Responsible Party for the referenced Fuel Release Case) and Mr. Jamey Peterson of Arcadis, Inc. have requested access to property you manage at 5801 Christie Avenue in Emeryville. The specific request is to allow the installation of several temporary soil bores as part of a subsurface investigation for the subject site, located immediately adjacent to the property you manage. Ms. Phillips and Mr. Peterson have informed ACDEH that access has been denied since you have not signed and returned an access agreement. The purpose of this letter is to advise you in your decision regarding access.

A release of petroleum hydrocarbons occurred at the 1700 Powell Street property which has contaminated the soil and groundwater beneath the site, and towards Powell Street. As the Responsible Party, Ms. Phillips is required to investigate the lateral extent of the release(s) and to clean up the contamination. As required by ACDEH, Ms. Phillips and Mr. Peterson requested access to install several temporary soil bores on the property you manage in order to investigate if releases have extended on to the property.

ACDEH encourages you to work with the Responsible Party and Arcadis, and agree upon the terms necessary (i.e. your signature on the access agreement) to allow them access to your property to investigate the lateral extent of any contamination. If you continue to deny access or do not respond by the date specified below, then this Agency and the Regional Water Quality Control Board may hold you legally and financially responsible for the investigation beneath your property. You may then be required to undertake the investigation at your own expense. Since the costs for such investigations are often high, allowing temporary access to the property is clearly more reasonable. Please reconsider the request to access your property previously sent and respond to this correspondence within ten work days from the date of this letter (**May 24, 2018**) with your decision.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Mark E. Detterman". The signature is stylized and includes a large, sweeping flourish at the end.

Mark E. Detterman, PG 4799, CEG 1788
Senior Geologist
Senior Hazardous Materials Specialist

cc: Hollis Phillips, ARCADIS U.S., Inc, 100 Montgomery, Suite 300, San Francisco, CA 94104; (Sent via electronic mail to: Hollis.Phillips@arcadis-us.com)

Jim Smith, BP Contracts Manager, 201 Helios Way, Sixth Floor, Houston, TX 77079; (Sent via electronic mail to: Jim.Smith2@bp.com)

Responsible Parties
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Ed Ralston, The Phillips 66 Company, 76 Broadway, Sacramento, CA 95818; (Sent via electronic mail to: Ed.C.Ralston@p66.com)

Emery Bay Petroleum, Inc, c/o Shahram Azimi, 1700 Powell Street, Emeryville, CA 94608

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker