

Jakub, Barbara, Env. Health

From: Jakub, Barbara, Env. Health
Sent: Thursday, February 05, 2009 2:35 PM
To: 'jarnold@arnoldlp.com'
Subject: RE: Fuel Leak Case No. RO-0000071

Mr. Arnold,
Your request for an extension is approved.
Regards,

Barbara Jakub, P.G.
Alameda County Environmental Health
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(510) 337-9335 (fax)
barbara.jakub@acgov.org

Online case files are available at the website below
<http://www.acgov.org/aceh/index.htm>

From: James Arnold [mailto:jarnold@arnoldlp.com]
Sent: Saturday, January 31, 2009 3:37 PM
To: Jakub, Barbara, Env. Health
Subject: Fuel Leak Case No. RO-0000071

Ms. Jakub -- Thank you for our conversation late Friday. As I mentioned, I have only recently been retained by BRE Properties, Inc. to look into this matter, and the letter of December 3, 2008 with the due dates. I am just now able to get into the electronic files in order to understand the situation. And, I do not understand yet the concept of "claiming" the site in Geotracker. I am concerned that "claiming" might result in some adverse consequences for my client -- sort of along the line that "no good deed goes unpunished," -- particularly if it turns out that one of the "unknown address" entities identified as recipients of your letter is found and resists paying for what may be a problem created some years ago. And, we are all aware of how heavily impacted the groundwater is in Emeryville, with its history.

Accordingly, I would respectfully request an extension of time of 90 days on the due dates in your letter of December 3, 2008. I would also like to have further contact with you in 30 days. Thus, the due dates would be March 19 for "claiming" the site, and May 17 (actually the Friday before, May 15) for submitting a groundwater monitoring report and a soil and water investigation work plan.

Thank you again for your help so far. I will be looking at the documents in detail during this coming week.

Jim

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