

**HASHEM TABATABAEE
EBI PROPERTIES
1742 SOLANO AVE., BERKELEY, CA 94707**

Alameda County

DEC 30 2013

Environmental Health

December 27, 2013

Mr. Jerry Wickham
ACHCSA-EHS
1131 Harbor Bay Parkway, Ste. 250
Alameda, CA 94502-6577

**SUBJECT: OBJECTION TO CASE CLOSURE ON SHELL #13-5037
999 SAN PABLO AVENUE, ALBANY, CA
FUEL LEAK CASE RO0000121
GEPTRACKER GLOBAL ID T060010277**

Dear Mr. Wickham:

My name is Hashem Tabatabaee, and I have 2 properties (985 San Pablo Avenue, Albany and 977-979 & 981-983 San Pablo Avenue, Albany) adjacent to the proposed case closure site of Shell #13-5037 (RO000010277).

Based on the following reasons, I am objecting to the case closure on the above-mentioned site at 999 San Pablo Avenue, Albany, CA:

1. My properties are down-gradient and cross-gradient from case closure subject site.
2. The RP on the above-mentioned case has not fully defined and investigated the extent and migration of contamination to the neighboring properties.
3. I am afraid that if you close the case and release the RP, in the event of my future construction and development of my properties, I do not want to be responsible for any additional investigation and/or remediation.
4. If my properties are contaminated, I will not be able to secure any construction loan.

Therefore, I would like to ask you that prior to any site closure, the RP must be hold responsible for any additional work which will required by the governmental agencies.

If you have any questions, please do not hesitate to contact me at (510) 525-2000.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Tabatabaee', with a long, sweeping underline that extends across the width of the signature.

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