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OAKLAND, CA 94612
(510) 286-1333

California State Senate

SENATOR
DON PERATA
NINTH SENATORIAL DISTRICT



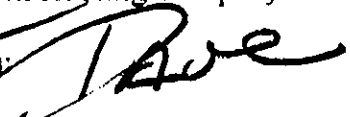
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LOCAL GOVERNMENT
TRANSPORTATION
SELECT COMMITTEE ON
BAY AREA TRANSPORTATION,
CHAIR

August 2, 2002

Dave Kears, Alameda County Health Care Services
1850 Fairway Drive
San Leandro, CA 94577

RE: Beck Roofing Company

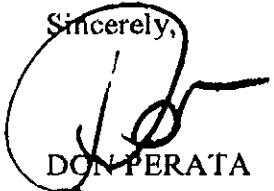
Dear Mr. Kears: 

I received the enclosed correspondence on behalf of Beck Roofing Company.

As the letter outlines, Beck Roofing Company needs to obtain an environmental closure for 21123 Meckland Avenue in Hayward. I hope that you can help expedite this request.

Thank you for your assistance with this matter. If you should have any questions, don't hesitate to contact my District Director, Amy Pierce at 510-286-1333.

Sincerely,



DON PERATA
DP:ap

Cc: Supervisor Gail Steele

Enclosures

LAW OFFICES OF

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jmb@brown-sullivan.com

July 25, 2002

Our file no. 5268-105
VIA FAX
(510) 286-3885The Honorable Donald Perata
California State SenatorRe: *Beck Roofing Company, 21123 Meekland Avenue, Hayward, CA*
Alameda County Health Case Services

Dear Senator Perata:

On behalf of Beck Roofing Company, Inc., we respectfully request your assistance with the Alameda County Health Care Services ("ACHCS") due to the failure of our Herculean efforts to obtain a commitment from ACHCS to evaluate the above referenced site for environmental closure after more than two (2) years as shown below.

In May 1991, Beck Roofing Company, Inc. ("Beck Roofing") removed a 1,000 gallon underground storage tank ("UST") which was installed during the 1970's gasoline crisis. The UST had leaked. Beck Roofing undertook the appropriate and responsible action to investigate and remediate the contamination. Beck Roofing has received reimbursement for some of the costs from the California UST Cleanup Fund. Based on the successful cleanup, the residual contamination levels pose no risk to the public. As a result, Beck Roofing engaged a toxicologist to perform a risk assessment report of which the UST Cleanup Fund approved the costs.

In May 2000, Beck Roofing's toxicologist submitted a risk assessment report recommending site closure to ACHCS. After three months of silence, we contacted ACHCS regarding its position on the site assessment report. We were told that the ACHCS had not reviewed the report and it would be reviewed either October 30 or 31, 2000, which did not occur.

After repeated calls by this office to ACHCS, in January 2001, ACHCS sent us a site closure summary sample to be completed by Beck Roofing's toxicologist.

In April 2001, the Site Closure Summary report was submitted to ACHCS.

In May 2001, we called ACHCS regarding the Site Closure Summary Report and the case worker claimed not to have received it. Later that day, the case worker stated that it was in his email file.

The Honorable Donald Perata
July 25, 2002
Page 2

We spoke to his supervisor who asked us to send her a copy of the report which we promptly did. She further indicated that she did not know when ACHCS would have an answer to the report.

In July 2001, the ACHCS supervisor requested that the toxicologist provide additional information which information was provided in July 2001.

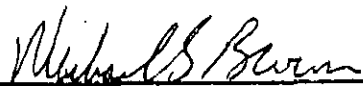
After innumerable weekly calls for months to ACHCS with no action, Beck Roofing's principals, the environmental consultant and I met with the ACHCS supervisor in December 2001. The meeting's purpose was to get the ACHCS to make a final decision since the risk assessment report had been submitted over a year and a half earlier. The supervisor told us that she would have a final response within two weeks. When we received no response we again called with no satisfactory response.

Since early this year a new supervisor has been assigned to the site. Beck Roofing's environmental consultant has called a minimum of six times so far this year. The general response is that ACHCS does not have sufficient staff to review it because it is not a priority.

Beck Roofing has incurred significant money in its unsuccessful attempts to get ACHCS to perform its job and to preserve Beck Roofing's entitlement to funding under the UST Cleanup Fund. We are at our wit's end and need your assistance.

Thank you for your attention and anticipated assistance.

Very truly yours,



MICHAEL S. BROWN

MSB/em

cc: Beck Roofing Company, Inc.
UST Cleanup Fund

1850 Fairway Drive
San Leandro, CA 94577
Phone: (510) 618-3452
Fax: (510) 351-1367

County of Alameda
Health Care Services Agency

Fax

To: Bonnie / Bill Pitcher From: Sarah
Fax: _____ Date: 8/16/02
Phone: _____ Pages: 4
Re: _____ CC: _____

Urgent For Review Please Comment Please Reply Please Recycle
