

From: Weston, Robert, Env. Health
Sent: Wednesday, August 06, 2008 3:01 PM
To: Law Offices of Weldon & Hass
Cc: Hugo, Susan, Env. Health; Wickham, Jerry, Env. Health
Subject: Call Mac's 461 McGraw Avenue Site

Dear Mr. Carly,
We have received and reviewed your request for a waiver of the UST operating permit for use in applying to the California UST Cleanup Fund. We have reviewed the available documents related to this issue as well as interviewed staff associated with the compliance issues at the site.

Based on the information available at this time we cannot provide an affirmative statement as to the historical compliance of the former owner, Crandall Mackey.

Regards,

Robert Weston
Alameda County Department of Environmental Health 510 567-6781 CONFIDENTIALITY NOTICE: This electronic mail transmission may contain privileged information and/or confidential information only for the use by the intended recipients. Any usage, distribution, copying or disclosure by any other person, other than the intended recipient is strictly prohibited and may be subject to civil action and/or criminal penalties. If you have received this e-mail transmission in error, please notify the sender by e-mail or by telephone and delete the transmission.

-----Original Message-----
From: Law Offices of Weldon & Hass [mailto:weldonandhass@gmail.com]
Sent: Tuesday, August 05, 2008 1:55 PM
To: Weston, Robert, Env. Health
Subject: Re: Request from Chad Carly re UST Permit Statement for Call Mac's 461 McGraw Avenue Site

Mr. Weston,
Attached, please find the permit application documents mentioned in the previous email. I apologize for the hang-up.

Thank you!

Chad Carly

On Mon, Aug 4, 2008 at 4:06 PM, Weston, Robert, Env. Health <robert.weston@acgov.org> wrote:
> Chad,
> I did not receive the attachment referenced in your message. Could you please send it so we can evaluate your request.
>
> I will get back to you upon receipt of the document.
>
>
> Robert Weston
> Alameda County Department of Environmental Health 510 567-6781
> CONFIDENTIALITY NOTICE: This electronic mail transmission may contain privileged information and/or confidential information only for the use by the intended recipients. Any usage, distribution, copying or disclosure by any other person, other than the intended recipient is strictly prohibited and may be subject to civil action and/or criminal penalties. If you have received this e-mail transmission in error, please notify the sender by e-mail or by telephone and delete the transmission.

> -----Original Message-----
> From: Law Offices of Weldon & Hass [mailto:weldonandhass@gmail.com]
> Sent: Monday, August 04, 2008 12:50 PM
> To: Weston, Robert, Env. Health
> Subject: Request from Chad Carly re UST Permit Statement for Call
> Mac's 461 McGraw Avenue Site
>
> Dear Mr. Weston,
> For Call Mac's UST site located at 461 McGraw Avenue, Livermore, CA 94550, I've been working with UST Cleanup Fund Agent, Shari Knieriem, who is overseeing Call Mac's application for UST removal reimbursement. I have shared with Ms. Knieriem that we cannot locate the post 1990 UST permit in either corporate records or City and County records. At your suggestion, I requested a document from Ms. Knieriem that you could sign stating that the tank was in compliance, in lieu of copies of the actual permit. She didn't have a formal document and requested that I submit a statement from you. She recommended the following statement language:

> State of California Underground Storage Tank Cleanup Reimbursement Fund:
> For the period of time between Call Mac's 1990 UST operator/owner
> permit application until removal of said UST, a permit cannot be
> located. However, I was the County Environmental Oversight Agent for
> 461 McGraw Avenue during this time period and the underground storage tank at this location was in compliance during this time.

> _____
> Robert Weston, Date
> Senior Hazardous Material Specialist of ACEH
>
>

> For our reimbursement claim, would you be willing to sign this statement? For reference, I've attached a copy of the UST permit application submitted by Call Mac in July of 1990. Thank you for your help in searching for the permit documents and for your suggestions in dealing with this matter. Please give me a call if I can be of assistance.

> Sincerely,
> Chad Carly
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> WELDON & HASS
> Attorneys at Law
> 205 E. Anapamu Street
> Santa Barbara, CA 93101
> (805) 965-7014
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