



July 10, 2018

Ms. Karel Detterman, PG
Alameda County Department of Environmental Health
1131 Harbor Bay Pkwy, Suite 250
Alameda, CA 94502

Subject: Notice of Violation Letter for Fuel Leak Case No. RO0003144
1380 Mound St., Alameda, CA

Dear Ms. Detterman:

We are in receipt of your Notice of Violation Letter dated June 19, 2018 concerning overdue implementation of a soil and groundwater assessment proposed to be completed at 1380 Mound St., Alameda, CA. In reply to your letter, we have been directed by the City of Alameda (the City) to relay the following comments.

As of the date of this correspondence, the City has yet to be able to successfully secure a Right of Access Agreement with the owner of the property which is the subject of this case. This has impacted the ability of the City to progress and complete the assessment as proposed in the Soil and Groundwater Investigation Work Plan dated May 15, 2015. As it appears that obtaining an agreement with the property owner that will allow access to the property in order to assess the possible impact to soil and/or water on the southern side of the in-place closed tank will be a long-suffering process that will ultimately culminate in the property owner leveraging to gain improvements to the property at the City's expensive, we believe that three options remain:

1. Take legal or enforcement action against the property owner to force a right of access without financial impact to the City;
2. Attempt to angle/directional bore under the property from the City owned easement/right-of-way;
3. Remove the proposed southern sample locations from the Work Plan and alleviate the City from investigating that side of the tank

There is no surety that the angle/directional bore would be successful and provide the needed information to accurately assess the subject area, thus the validity of that option is in question. Any degree of legal action with the property would be a complex and expensive endeavor, and foster a continued delay in completing assessment activities. Therefore, in order to provide the most expeditious process for achieving compliance, the City does respectfully request that the ACDEH allow the City to modify the Work Plan and remove the two soil borings planned for the southern side of the tank. Upon receipt of approval of the amended scope of work, the City will immediately commence assessment activities.

Thank you for your continued cooperation and assistance with this case. Please contact us at (707) 750-5794 if you have any questions or require any additional information at this time.

Sincerely,
Shoreline Environmental Resources, Inc.

A handwritten signature in blue ink, appearing to read 'David C. Solis', with a stylized flourish at the end.

David C. Solis, JD, PhD, PE
Principal Engineer

Cc: Flavio Barrantes, City of Alameda