



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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April 5, 2011

Davis Coit Apartments, LLC
c/o Mr. Jack Sumski
Davis Realty Company
5000 Geary Blvd., #1
San Francisco, CA 94118-2814

Subject: Request for Access Agreement for Fuel Leak Case No. RO0000266 and Geotracker Global ID T0600100682, A Bacharach Trust & B Borsuk, 1432 Harrison Street, Oakland, CA 94612

Dear Mr. Sumski:

Under the direction of this office, the Sydney & Barbara Borsuk Trust, Shiela Siegel Trust (c/o Mr. Mark Borsuk) is conducting an environmental investigation for a property located at 1432 Harrison Street in Oakland. A fuel leak from a former underground storage tank at 1432 Harrison Street has resulted in soil and groundwater contamination in the area of the site. The extent of the soil and groundwater contamination is not fully defined but may extend to your property at 1445 Harrison Street.

Alameda County Environmental Health (ACEH) is requiring the Sydney & Barbara Borsuk Trust, Shiela Siegel Trust to characterize the extent of contamination from their site. In order to do this, soil vapor sampling has been proposed on your property at 1445 Harrison Street. We understand that Conestoga-Rovers & Associates sent you a Request for Access but no agreement has been completed to date. We request that you resolve this access agreement promptly by providing reasonable conditions whereby access can be obtained. By not allowing the investigation to be completed under the current fuel leak case, you may be retaining some future liability for any contamination that may exist beneath your property.

ACEH requests you complete negotiations with Conestoga-Rovers & Associates, on behalf of the Sydney & Barbara Borsuk Trust, Shiela Siegel Trust, by May 6, 2011. This request is made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Davis Coit Apartments, LLC
RO0000266
April 5, 2011
Page 2

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Sydney & Barbara Borsuk Trust, Shiela Siegel Trust, C/o Mr. Mark Borsuk, 1626 Vallejo Street, San Francisco, CA 94123-5116

Robert Foss, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 2032 (*Sent via E-mail to: bfoss@croworld.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, eFile