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9:49 am, Sep 21, 2009

Alameda County
Environmental Health



Consulting Engineers and Scientists

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11 September 2009

Ms. Barbara Jakub
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Subject: Response to 14 August 2009 Alameda County Environmental Health
Letter Regarding the Work Plan for Additional Site Characterization
6601/6603 Bay Street, Emeryville, California
(EKI 950074.05)

Dear Ms. Jakub:

On behalf of Sybase, Inc., Erler & Kalinowski, Inc. is pleased to respond to the Alameda County Environmental Health letter with subject: "Fuel Leak Case No. RO0000042/RO0000043 and Geotracker Global ID T0600100825/T0600100470, Vacant Facility, 6601 and 6603 Bay Street, Emeryville, CA 94608," dated 14 August 2009 ("ACEH Letter"). In the ACEH letter, you indicate conditional approval of the *Work Plan for Additional Site Characterization* ("Work Plan") for the property located at 6601/6603 Bay Street (currently Shellmound Street), California ("Site"). As indicated in the ACEH Letter, no additional work plan needs to be submitted to ACEH provided the technical comments in the ACEH Letter are incorporated into the proposed field work.

The intent of this letter is to acknowledge that the technical comments provided in the ACEH Letter will be incorporated into the Work Plan by reference and to inform you that the timing for implementation of the field work discussed in the Work Plan is dependent on obtaining access to the Site. As requested in the ACEH Letter, we will provide 72-hour written notification to your office prior to the start of field activities. In addition, we will keep you apprised of any schedule updates resulting from access constraints.

Ms. Barbara Jakub (ACEH)

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Please do not hesitate to call if you have any questions regarding this letter.

Very truly yours,

ERLER & KALINOWSKI, INC.

A handwritten signature in black ink, appearing to read 'MK King'.

Michelle K. King, Ph.D.

Vice President

A handwritten signature in black ink, appearing to read 'Erika B. McDonald'.

Erika B. McDonald, P.E.

Project Engineer

cc: Vince Herington, Sybase
Rob Hansen, Sybase
Brad McInroy, Sybase
Paul Mahoney, Sybase
Todd Maiden, Esq., Reed Smith LLP