

David Beretta

From: David Beretta
Sent: Friday, October 10, 2014 2:58 PM
To: 'keith.nowell@acgov.org'
Cc: Steve Moriarty; Beretta Facilities; 'Paul Kozachenko'
Subject: Property: 405-433 Hegenberger Road Oakland, Ca. - Monitoring Wells MW7 and MW8 - request to close and no action on proposed Core Sample at SB-11 and SB-12

October 10, 2014

Keith Nowell
Hazardous Materials Specialist
Alameda County Health Care Services
1131 Harbor Bay Parkway Suite 250
Alameda, Ca. 94502-6577
Tel. 510-567-6700
Fax 510-337-9335



RE: Owner of Property: 405-433 Hegenberger Road Oakland, Ca.
Fuel Leak Case: RO-0000219 Unocal #5043 at 449 Hegenberger Road Oakland, Ca.
Property Owner and Antea Group/ Baine Technical (Sub-Contractor)

Attn. Kevin Nowell;

This letter is in reference to your Letter dated June 12, 2014 and our following telephone conversation concerning this matter and contents of your letter. Please feel free to call me or email me with a date and time to have a phone conversation concerning going forward from here.

In regard to your Letter of June 12, 2014 and our conversation, we had not requested directly the removal of Monitoring Wells MW-7 and MW-8. It's our understanding that Dennis Dettleoff/Antea Group had requested said removal without our authorization. While we do desire to have the Monitoring Wells removed (see request below) Dennis Dettleoff/Antea Group; Ed Ralson/Phillips 66 Company; nor Walter Sprague/Pacific Coast Convenience & Fuel has any authority to represent us in any way shape or form. In point of fact, we have issued a C&D order to immediately cease making or alluding to being representing us. We have further issued a C&D order from having them including Baine (sub contractor of Antea Group) from entering into or onto our property at ANY TIME.

In addition, we have DENIED their request to obtain Boring Samples on our Property and specifically as noted on the proposed Map as SB-11 and SB-12. We have in fact issued a C&D to them and any sub contractors from entering our property for anything including Boring Samples without our express written consent and having fulfilled all of our requirements and following our policies and procedures.

I has come to our attention through being provided the First Quarter 2014 (dated May 1,2014) and Second Quarter 2014 (dated August 26,2014) that Antea Group and/or it's Sub Contractor Baine have entered onto our property in violation of the C&D and against our permission. Please be advised that they are not allowed to enter our property for a Third Quarter 2014 Sampling without our express written approval. If they do, legal action will be taken and they will never be allowed to enter our property for any reason.

In speaking with you, we understand that they have submitted an alternative Remediation Plan that would not involve our property. We would like to have a copy of that plan to show the scope of work and effect if any on our property. We understand that all of the work shall be performed from and within the Property Line of the Adjacent Property. In addition, we understand that it would be possible to have the Monitoring Wells MW-7 and MW-8 be removed from our

property and place on the Property Line(s) of our respective properties but within the Adjacent Property and while not idea may work to everyone's satisfaction.

We request that the Monitoring Wells MW-7 and MW-8 be removed within a Six (6) Month Period and have advised that Boring Sample(s) SB-11 and SB-12 will not be allowed on our property.

If you have any questions or concerns, please feel free to contact my office at 510-797-5880.

Thank you,
David Beretta
Beretta Investment Group
39560 Stevenson PI Suite 215
Fremont, Ca. 94539
Tel. 510-797-5880
Fax 510-797-1703