

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Wednesday, May 30, 2012 8:44 AM
To: 'Andy Lojo'
Cc: Lynn_Petersen@deanfoods.com
Subject: RE: Compliance Status, and Request for extension for submittal of well decommissioning report. Former Berkeley Farms sites, Emeryville.

Andy,

Based on your request, the schedule for submittal of well decommissioning reports for cases RO245 and RO2452 are extended from June 4, 2012 to September 4, 2012.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
phone: 510-567-6791
jerry.wickham@acgov.org

From: Andy Lojo [<mailto:Andy.Lojo@anteagroup.com>]
Sent: Thursday, May 24, 2012 11:30 AM
To: Wickham, Jerry, Env. Health
Cc: Lynn_Petersen@deanfoods.com
Subject: Compliance Status, and Request for extension for submittal of well decommissioning report. Former Berkeley Farms sites, Emeryville.

Dear Mr. Wickham,

As required, we have completed uploading the technical reports and relevant documents related to fuel leak cases R00245, and R002452 for the former Berkeley Farms sites located at 4575 and 4501 San Pablo Avenue, Emeryville California, to the RWQCB Geotracker Website. We were not able to obtain EDDs for such old analytical data, but the data is included in the reports we uploaded. We were also not able to locate the former monitoring well survey data.

We have discussed the well abandonment details with the Alameda County Public Works agency and have confirmed they can be abandoned by pressure grouting. We also determined that there are no physical access issues with well MW-1A located on the KFC site as previously thought. We are all set to abandon the wells subject to receipt of access permission from the two current property owners.

We began attempts to communication with the respective property owners, since you and I spoke on April 12, 2012.

We do not expect the owner of 4501 to have any objection to allowing us to abandon the well on their site, but they have not yet responded to our letter requesting access.

We have been in communication with the owner of 4575. My files show that back in 2007, they communicated technical concerns about the thoroughness of the investigation, remediation, and monitoring work that Berkeley Farms completed, and based upon which, were granted closure. I discussed those concerns briefly with the owner of 4575 on May 11. In response, I performed a thorough review of the historical data to evaluate the technical justification of those concerns. I found that those concerns were not substantiated and were most likely based on an incomplete data set. The full data set shows that the prior work was thorough and adequate to support closure of the site as a low risk

fuel case. I therefore communicated my opinion on this to both Berkeley Farms and the owner of 4575 today, and recommended that the wells be abandoned without further delay in the regulatory process.

The owner of 4575 also said that there were cost recovery and indemnification issue discussions with Berkeley Farms back in 2007, that were not concluded. He said he would review his files and send over pertinent documents relating to these but we have not yet received anything. I have suggested today, that cost recovery issues be negotiated separately from the well abandonment so that regulatory closure can be completed without further delay. I do not think it is possible however, to obtain site access to abandon the wells in time to perform the work and submit the well decommissioning report by our current regulatory deadline of June 4, 2012. I therefore request a three month extension of the deadline to complete that task, due to the additional time that site access permission is taking since Berkeley Farms does not own the properties.

Sincerely

Andy Lojo.

Andrew Lojo P.G. | Senior Consultant | USA
Antea™Group

1350 Treat Blvd, Suite 250
Walnut Creek, California 94597

Direct 925 954 4522 | Mobile 510 703 5696 | USA Toll Free 800 477 7411
andy.lojo@anteagroup.com | www.anteagroup.com



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