

Detterman, Mark, Env. Health

From: Abe Gupta [abegupta@gmail.com]
Sent: Monday, July 11, 2011 12:08 PM
To: Drogos, Donna, Env. Health
Cc: Detterman, Mark, Env. Health; rezza@sierraenvironmentalinc.com; MitchHajiaghai
Subject: Re: Letter Dated June 17, 2011

Categories: Red Category

I look forward to a reply from Mr. Detterman and Sierra.

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Abe Gupta | abegupta@gmail.com | t (925) 519-7956 | f (925) 269-2380

On Jul 11, 2011, at 12:07 PM, "Drogos, Donna, Env. Health" <donna.drogos@acgov.org> wrote:

Hi Abe,

The caseworker, Mark Detterman, will follow up on this case when he returns to the office. In the interim you can review our complete case file online at ACEH's website at the link I previously sent you below.

<http://www.acgov.org/aceh/lop/findsite.htm>

Thank You, Donna

From: Abe [mailto:abegupta@gmail.com]
Sent: Monday, July 11, 2011 11:58 AM
To: Drogos, Donna, Env. Health
Cc: Detterman, Mark, Env. Health; rezza@sierraenvironmentalinc.com; Mitch Hajiaghai
Subject: Re: Letter Dated June 17, 2011

Dear Ms. Drogos,

Thank you for the email. I was not aware of Mr. Detterman's absence. I will await his reply when he returns. I have reviewed the website; however I am more concerned with getting the information that is not available on the site-- accounting records especially.

Also, I am concerned about these reports supposedly sent in my client's name to your office and the State. My client knows nothing about them and I believe the terms of payment from the UST fund require consent of the property owner. Were there signatures? Does your office have copies of those reports-- do they say they were approved by my client? Mr. Detterman's letter is the first we are hearing of these matters and I do know not why that is. Sierra has yet to clarify their position.

I do not believe the money is being correctly spent. I do not believe the owners of Sierra have been away. It's difficult to work on this file when it takes Sierra ten days to get back to me. Mr. Detterman set a clock in his letter and, as such, I am obligated to proceed hastily. The email sent this morning (after ten days) is terse and frankly unhelpful.

Regards,

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On Mon, Jul 11, 2011 at 11:52 AM, Drogos, Donna, Env. Health <donna.drogos@acgov.org> wrote:

Hi Abe,

Mark is on vacation returning the week of 07/18 & is not available to respond to his cases until he returns. His e-mail is sending an out of office notification to everyone who sends him an email so you should have received that notification. He will be able to follow up on your case when he ret

Regarding the case files for your site, all of our case files are available online & you can review them from the web link below.

<http://www.acgov.org/aceh/lop/findsite.htm>

Thank You, Donna

Donna L. Drogos, P.E. | Division Chief

Alameda County Environmental Health

1131 Harbor Bay Parkway

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[510-567-6721](tel:510-567-6721) | Ext. 36721 | donna.drogos@acgov.org

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From: Abe [mailto:abegupta@gmail.com]

Sent: Monday, July 11, 2011 11:04 AM

To: Mitch Hajiaghai

Cc: Detterman, Mark, Env. Health; rezza@sierraenvironmentalinc.com; Drogos, Donna, Env. Health

Subject: Re: Letter Dated June 17, 2011

Dear Mr. Hajiaghai,

Thank you for your email of this morning. As you may know, I received a letter dated June 17, 2011 from Mr. Detterman's office. As already stated, I am deeply concerned about the amount of money being spent at this site and the lack of communication of any kind regarding how that money has been spent. As you know, I wrote to Mr. Detterman's office ten days ago (and again have cc'd him on this communication). As of this writing, I have received no response.

While I appreciate your email, this type of cursory response written in broad strokes is not very helpful. Please send me a full accounting of how all monies have been spent until now. Your office has an affirmative obligation to notice my client and, until now, as far as I can tell has not done so. Please mail me hard copies of all such documents to my address of record.

In addition, I would like to put out that, as far as I am aware, your office may have been submitting reports on my client's behalf without even their knowledge of the content of such reports. Mr. Detterman wrote in his letter, "The reports were prepared and submitted on [my client's behalf] by Sierra Environmental, Inc (Sierra)." This is a very serious concern. Please clarify immediately what has been taking place.

Regards,

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On Mon, Jul 11, 2011 at 10:11 AM, Mitch Hajiaghai <mitch@sierraenvironmentalinc.com> wrote:

Hi Abe, I hope all is well. I did not know that Som was not aware of the scope of work being done at ABE petroleum site in Hayward. You could visit Geotracker web site at geotracker.swrcb.ca.gov to obtain all environmental-related documents for the site. As of now, approximately \$200,000 has been spent for all environmental compliance requirements for the Site, which included subsurface assessment, groundwater monitoring, off-site soil and groundwater investigation, and remedial investigation and feasibility study. The proposed work is to perform a dual phase extraction test using high vacuum liquid ring pump to evaluate contaminant mass removal capability from soil and groundwater at the site. This remediation method would not be intrusive to the operation of the station, and have proven to be effective in removing contaminant mass from similar project sites. From now on we will communicate with you directly. Please contact me if you have questions.

Mitch Hajiaghai

Sierra Environmental, Inc.

[408-971-6758](tel:408-971-6758)

Please note my new email address:

Mitch Hajiaghai

mitch@sierraenvironmentalinc.com

On Jul 1, 2011, at 4:49 PM, Abe wrote:

Dear Mr. Detterman,

I am in receipt of a letter dated June 17, 2011 which bears the subject line, "Request for DPE Pilot Text Work Plan; Fuel Leak Case No. RO00000257 (Global ID: #TO600102154), ABE Petroleum, 17715 Mission Blvd., Hayward, CA 94544."

Please note, this office represents the addressees of that letter. Please refrain from contact with my clients and address all correspondence to the undersigned. I will ask the same of Sierra Environmental.

I have completed an initial review of the correspondence and likely will need to review your office's file on this matter. Please note, I am concerned by what has been communicated to me thus far. As you know the state allocates resources for environmental cleanup; however, such monies are precious. I am unclear how monies are being spent, including by Sierra Environmental.

Your telephone number provided in the letter does not appear to work. Please contact me to discuss your letter. I look forward to hearing from you and addressing this matter fully.

Regards,

Abe Gupta | abegupta@gmail.com | t (925) 519-7956 | f (925) 269-2380

