

Khatri, Paresh, Env. Health

From: Tom Venus [tvenus@broadbentinc.com]
Sent: Saturday, May 31, 2008 4:21 PM
To: Khatri, Paresh, Env. Health
Subject: Status Report for BP 11117/ACEH Case RO356

Hello Paresh,

I almost forgot to write up and send you a monthly status report since we had the comprehensive conference call on 5/21 regarding former BP Station #11117 at 7210 Bancroft Ave, Oakland (ACEH Case #RO356).

To recap in writing, Rob Miller and I informed you that:

- The DPE system was purchased in 12/2007 but delivery to site is delayed until construction can begin;
- The carbon vessels for the system were purchased in 12/2007 but delivery to site is delayed until construction can begin;
- The Authority to Construct/Permit to Operate permit was submitted to BAAQMD (I understand that it is undergoing or in preparation for public notice due to the Site proximity to a K-12 school);
- The treated wastewater discharge permit application is in progress with EBMUD;
- Applications for Gas and 3-phase Electric have been submitted to PG&E –
 - Gas will be coming to Site from PG&E main in Bancroft;
 - Significant delay experienced getting 3-phase electric from across street (Stratus started discussions with PG&E in December 2007, but lost key contact. Resumed discussions with new contact in Jan. Site meeting in Feb. Closest existing 3-phase transformer is unavailable. PG&E has decided that the single-phase transformer south of 73rd St will need to be upgraded to 3-phase. PG&E estimates 3-5 months to upgrade. Stratus has requested expedited upgrade. \$45,000 fee paid.)

HOWEVER, ConocoPhillips (who operates the 76 gas station at the Site presently) notified BP on 5/6/2008 that they are terminating their lease with Eastmont Town Center (property owner) before or around 3/31/2009. COP has informed BP they intend to demolish/raze buildings/dispenser islands and excavate/remove USTs and piping at that time. COP understands BP's desire that existing MWs and newly installed DPE wells not be damaged during demo. COP gave BP advance notice of plans for demo so that a newly installed DPE system would not be damaged.

When COP notified BP of their plans, Eastmont Town Center had not yet been informed. COP requested that BP not discuss with Eastmont Town Center their future plans for Site until after 6/6/2008. Soon after 6/6, BAI, on behalf of BP will contact Eastmont Town Center Facility Manager to discuss if there are any potential plans/timing for reuse of Site. BP, BAI and Stratus are continuing with plans to install/operate DPE system on site (e.g., completing permitting, bringing 3-phase power and gas to site, etc). However, the targeted DPE system construction for summer/fall 2008 must be put on hold until at least after COP completes demolition/removal of its infrastructure. Before 6/30/2008, BAI will prepare a formal request letter for extension of the DPE system startup due date.

I can assure you that it is not our intention to draw out the system construction or start of operations as BP did plan to bring this system on line this year. As soon as BAI is authorized to contact Eastmont Town Center we will know more about when installation of the DPE system can begin. I will contact you shortly thereafter.

Respectfully,

Tom Venus, PE
Senior Engineer



Broadbent & Associates, Inc.
1324 Mangrove Ave., Ste. 212
Chico, California 95926
(530) 566-1400 phone
(530) 566-1401 fax
(530) 588-5887 mobile
tvenus@broadbentinc.com

□