

Wickham, Jerry, Env. Health

From: Mark Cameron <mark.cameron@msrlegal.com>
Sent: Tuesday, November 17, 2015 11:07 AM
To: Wickham, Jerry, Env. Health
Cc: Jim Frassetto; 'Casey Safreno'; 'perry.pineda@shell.com'; 'Schaefer, Peter'; Jeff.Bullen@shell.com
Subject: 11-17-2015 Owner Response re 4212 First Street Shell, Pleasanton, ACEH File RO0000360 and September 16, 2015 "Invitation To Comment--Potential Case Closure" ("Invitation")

Mr. Wickham,

We represent the legal title "Owner" of the 4212 First Street, Pleasanton CA "Site" proposed for closure by ACEH as requested by Shell and its consultants. The public comment period ends today, November 17. Owner is likely to redevelop the Site in the future generally consistent with other neighborhood uses, if and when the current service station lease expires or is terminated. Based on the contents of the Invitation to Comment as supplemented by your past email below, Owner understands that Site closure is not conditioned upon any Site deed restriction or future Site management requirements. Premised on these beliefs, Owner supports Shell's request for Site closure at this time.

Mark Cameron, counsel for Owner.

From: Wickham, Jerry, Env. Health [<mailto:jerry.wickham@acgov.org>]
Sent: Thursday, October 08, 2015 3:48 PM
To: Mark Cameron
Cc: Jim Frassetto; 'Casey Safreno'; perry.pineda@shell.com; Schaefer, Peter
Subject: RE: 9-29-2015 Owner Inquiry re 4212 First Street Shell, Pleasanton, ACEH File RO0000360 and September 16, 2015 "Invitation To Comment--Potential Case Closure" ("Invitation")

Mr. Cameron,

As a follow-up to our earlier discussion, this email message provides the language regarding future site management requirements or restrictions on land use that will be included in the Alameda County Environmental Health case closure summary to be issued upon completion of public comment and well destruction:

Site Management Requirements: This fuel leak case has been evaluated for closure consistent with the State Water Resource Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Based on this evaluation, no site management requirements appear to be necessary.

No restrictions on future land use are included in the case closure summary.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502
510-567-6791

jerry.wickham@acgov.org

From: Mark Cameron [<mailto:mark.cameron@msrlegal.com>]
Sent: Tuesday, September 29, 2015 12:46 PM
To: Wickham, Jerry, Env. Health <jerry.wickham@acgov.org>
Cc: Mark Cameron <mark.cameron@msrlegal.com>; Jim Frassetto <james.frassetto@msrlegal.com>; 'Casey Safreno' <dsafreno@yahoo.com>
Subject: 9-29-2015 Owner Inquiry re 4212 First Street Shell, Pleasanton, ACEH File RO0000360 and September 16, 2015 "Invitation To Comment--Potential Case Closure" ("Invitation")

Jerry,

Per our discussion today, my firm represents the owner of the site above. You confirmed that any comments you receive to the above-referenced "Invitation", on or before November 17, 2015, shall be timely and fully considered.

As I mentioned today, owner needs to know specifically what is proposed in the way of "site management requirements that require further evaluation if the site is to be redeveloped in the future" ("conditions to closure"). Owner cannot responsibly evaluate or comment otherwise, particularly if the potential closure contemplates an ongoing site presence of MTBE and other contamination for years above ESLs.

You said the specific proposed "conditions to closure" will be generated and made available by ACEH within the next three weeks. You requested that I confirm my email address. When available would you please notify me of any and all proposed "conditions to [potential] closure" at the email address above?

Thank you.

Mark Cameron | Miller Starr Regalia



MILLER STARR REGALIA CONFIDENTIAL COMMUNICATION

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