

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Tuesday, January 21, 2014 5:18 PM
To: 'Carolyn Fong'
Cc: Peter Sims; Kris Larson
Subject: RE: Bill Chun Service Station, Case RO0000382

Hello Carolyn,

In response to your questions:

Either submittal of an addendum or a modified CAP would be acceptable provided that the proposed changes are described clearly.

The proposed changes do not appear to be substantive enough to require another public comment period for the proposed corrective action.

With regard to groundwater monitoring, extending the due date for the groundwater monitoring would be acceptable unless you and your consultants believe the data are necessary for CAP implementation.

I will not send a letter to the 2309 Santa Clara property owner until I hear from you. At that time such that a letter from my office is warranted, please provide contact information and some background on the progress or lack of progress towards an access agreement.

Regards,
Jerry Wickham
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From: Carolyn Fong [<mailto:carolynfong1@sbcglobal.net>]
Sent: Tuesday, January 21, 2014 3:06 PM
To: Wickham, Jerry, Env. Health
Cc: Peter Sims; Kris Larson
Subject: Bill Chun Service Station, Case RO0000382

Hello Jerry,
Kris Larson of Ninyo & Moore spoke to you about issues leading us to consider moving the EW 22 about 30 feet to another property.

Would I need to submit to you an addendum to the CAP or a modified CAP?
Would there have to be another public comment period for a modified CAP?

The GWM report is due February 15, 2014. There are two GWM wells at 2309 Santa Clara Ave. for which we also need an access agreement and for which I will not be able to obtain one in the next week or possibly the next weeks from the owner. Peter informed me that you would have to think about excluding MWs 14, 15 or extending the due date for the report.

I prefer that you wait until you hear back from me before writing a letter to the property owner at 2309 Santa Clara. Amanda Chui has engaged an attorney and an environmental consultant (RRM) who is

advising her of the CAP and other investigations that she wants done, as well as her own document for access. She is demanding that the Trust cover her costs and that I engage an attorney to consult with her attorney, Michael Brown, by Jan. 31st. I wish not to escalate this matter with Ms. Chui, so I will need to obtain legal advice for the Trust before communicating with her again.

I have to be cautious about making decisions that divert limited funds from the project, lead to extended litigation and reduce the amount of USTCF site budget remaining to implement the CAP over the next two years.

Thank you for taking into consideration all these issues when you respond to my questions.

Sincerely,

Carolyn C. Fong, Trustee
(626) 285-2658