

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-93

April 28, 2009

Ms. Rita Sullins
Don Sul, Inc.
187 North L Street
Livermore, CA 94550

Ms. Jennifer Sedlacheck
Exxon Mobil
4096 Piedmont, #194
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0000394 and Geotracker Global ID T0600100116, Arrow Rentals, 187 North L Street, Livermore, CA 94550 – Request for Schedule Extension

Dear Ms. Sullins and Ms. Sedlacheck:

Alameda County Environmental Health (ACEH) staff has received the document entitled, "*Corrective Action Plan – Implementation Extension Request*," dated March 13, 2009. The March 13, 2009 correspondence, which was prepared on your behalf by Geological Technics, Inc., requests a schedule extension for implementation of the approved Corrective Action Plan for the site. We will review the case file and your request at a future date. During the period of ACEH review, the schedule for implementation of the CAP is held in abeyance.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham".

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment: Correspondence from Geological Technics, Inc. dated March 13, 2009

Rita Sullins
Jennifer Sedlacheck
RO0000394
April 28, 2009
Page 2

cc: Cheryl Dizon, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway,
Livermore, CA 94551

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

Chris Davidson, City of Livermore, Economic Development, 1052 S. Livermore Ave., Livermore, CA
94550

Tamorah Bryant, Geological Technics, Inc., 1172 Kansas Avenue, Stockton, CA 95351

Heidi Timken, Timken, Johnson, Hwang, 500 Ygnacio Valley Road, Suite 360, Walnut Creek, CA
94596

Christa Marting, ETIC Engineering, Inc., 2285 Morello Avenue, Pleasant Hill, CA 94523

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

1172 Kansas Avenue
Modesto, CA 95351
209.522.4119
209.522.4227 (fax)
gti@gtienv.com

March 13, 2009

Project No.: 1262.2
Project Name: Sullins Property (L St.)

Mr. Jerry Wickham
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Corrective Action Plan (CAP) – Implementation Extension Request
Arrow Rentals, 187 North L Street, Livermore, CA

Dear Mr. Wickham:

The purpose of this letter is to respectfully request, on behalf of our client, a further extension for the implementation of the Corrective Action Plan. This request is based on financial hardships posed by the Underground Storage Tank Cleanup Fund's (USTCF) current situation. Up until the present, the project has been moving forward to implement the CAP. Recently our client, Ms. Rita Sullins of Don Sul Inc., has indicated that they are they are in a position of extreme financial hardship and are unable to proceed with the financial burden associated with further implementation of the CAP without timely reimbursement from the USTCF.

GTI has been moving forward with the implementation of the CAP, and as outlined in previous correspondence, we have been coordinating with PG&E to have temporary power installed on site for the remediation system. It is my understanding that on February 27, 2009 the additional infrastructure required for PGE to supply the temporary service was installed. Our shared primary goal with Ms. Sullins and Alameda County Environmental Health Services is to address the source of contamination in a timely manner, thereby protecting California's groundwater.

As you may know, during the State Water Resources Control Board Workshop *Underground Storage Tank Cleanup Fund Discussion of Fund Condition, Delay in Reimbursements, and Suspension of Letters of Commitment* that was held on March 9, 2009 in Sacramento, it was reiterated that Class B payments will be delayed 18 months. The Workshop primarily disseminated information on the current fund status and gave opportunity for comments and recommendations. Any relief from or for the USTCF will require time to implement, and will not assist our client or the approximately 2,000 other Class B site responsible parties in the near future.

Geological Technics Inc.

1172 Kansas Avenue
Modesto, CA 95351
209.522.4119
209.522.4227 (fax)
gti@gtienv.com

Faced with this situation, limited resources, and little hope of the SWRCB being able to restore health to the USTCF in the short or intermediate term, we are asking for assistance and understanding from Alameda County Environmental Health Services to keep this site in compliance and eligible to receive grant money from the USTCF.

Our client currently has four outstanding reimbursement requests dating back to September 11, 2008. Due to their financial hardship they are not able to proceed with the costs associated with the remediation system equipment, installation, monitoring, operation and maintenance costs without the timely assistance of the USTCF.

At this time, we would like to respectfully request a 12 month extension of the CAP (to May 1, 2010), in the hope that the USTCF issues will be addressed in the coming months, and the project may be able to proceed with reimbursements in a timely manner. Again, I would like to reiterate that we have proceeded with implementation of the CAP as previous correspondence has discussed. It is our client's goal, and GTI's on behalf of them, to remain in compliance and address the source of contamination in a timely manner.

Further information on the financial hardships faced by our client can be provided at your request. I expect that you will be receiving similar letters from other consultants and their clients, and want to thank you for your consideration in this matter. I sincerely hope that we can work together to find a reasonable solution that allow the site to remain in compliance so that the remediation system can be implemented, and allow our client to remain solvent and in business.

Please let me know if you have any questions or need further information.

Thank you,



Tamorah Bryant, P.E.
Project Manager

cc: Tony & Rita Sullins
Chris Davidson – City of Livermore