

Khatri, Paresh, Env. Health

From: Tom Venus [tvenus@broadbentinc.com]
Sent: Friday, September 11, 2009 3:39 PM
To: Khatri, Paresh, Env. Health
Cc: 'Rob Miller'
Subject: ARCO #2111 (RO 494) Offsite Access Issue
Attachments: CA_2111_090818_BP_-_Access_Rqst_Ltr_1290_Davis_St.pdf; CA_2111_090825_USPS_-_Delivery_Conf_for_1290_Davis.pdf; Dwg3_Site Map w Proposed Wells.pdf; CA_2111_090902_BAI_-_1290_Davis_St_Telecon_Record.pdf

Hello Paresh,

As a follow-up to the conversation we had earlier today during your telephone call, I am writing to remind you that we have been denied approval to our offsite property access request at 1290 Davis Street, San Leandro, Alameda County APN 75-121-11-5 by the private property owner Mr. Jawad Jajeh. During our telephone conversation you requested copies of the request for access letter (with attachments) and evidence of access request denial. I also recall that you stated if the offsite location is deemed essential, you might correspond directly with the property owner to facilitate access.

Please find attached the Request for Access letter with attachments (sent Certified Mail on 8/25/2009), US Post Office delivery confirmation record, and a Contact Record form documenting the denial of access.

It would be most appreciated if you could again review the proposed offsite monitoring well location at 1290 Davis Street, and facilitate access if you see fit. We have already received offsite access from the private property owner at 1190 Davis Street (immediately west of and adjacent to Sta.#2111), and do not anticipate access issues from City of San Leandro for the monitoring well proposed to be located in Douglas Court. BAI believes that lack of monitoring well ground-water elevations and contaminant concentrations data from the area of 1290 Davis Street would affect our ability to determine offsite contaminant migration and significance.

We trust that you will keep us informed with respect to your decision to facilitate access and communications with the owner of Alameda County APN 75-121-11-5.

With regards,

Tom Venus, PE

Senior Engineer
Broadbent & Associates, Inc.



1324 Mangrove Ave.#212 • Chico, CA 95926
phone (530) 566-1400 • fax (530) 566-1401
tvenus@broadbentinc.com



Atlantic Richfield Company
(a BP affiliated company)

P.O. Box 1257
San Ramon, California 94583
Phone: (925) 275-3801
Fax: (925) 275-3815

18 August 2009

BY CERTIFIED MAIL

Jawad & Jeffery Jajeh
301 Castenada Drive
Millbrae, CA 94030

Re: Request for Access to Property Located at
1290 Davis Street, San Leandro, California

Dear Mr./Ms. Jajeh:

Atlantic Richfield Company (BP) is conducting an environmental investigation at Atlantic Richfield Oil Company Service Station #2111, 1156 Davis Street, San Leandro, California, Alameda County Assessors Parcel Number (APN) 75-121-11-5.

As part of our investigation, BP requests access to the above referenced property at 1290 Davis Street in order for BP and/or its environmental consultants to perform certain environmental activities which BP at its sole discretion chooses to perform. Such activities may include sampling, assessment, inspection, monitoring, installation of equipment, operation and maintenance of equipment, and remediation activities (Activities). BP shall conduct its Activities so as to minimize any disruption to your property.

Two copies of the BP Access Agreement have been enclosed for your signature. If you are in agreement with this request, please complete and sign the appropriate sections and return both copies of the Access Agreement to me in the enclosed, self-addressed stamped envelope. A company representative will sign the Access Agreements, and a fully executed copy will be returned to you. Please respond to this letter by 18 September 2009.

Thank you for your attention to this matter. If you have any questions or require further information regarding this request, please call me at (925) 275-3801.

Regards,

Paul Supple
Environmental Business Manager, Atlantic Richfield Company

Enclosures: APN Map; Two Copies of Access Agreement; Self-addressed Stamped Envelope

ACCESS AGREEMENT

This access agreement is entered into between Atlantic Richfield Company (BP) and the undersigned Owner. Owner is the current owner of the referenced property located at: 1290 Davis Street, San Leandro, California, also known as Alameda County Assessor's Parcel No.77A-660-205.

For good and valuable consideration which the parties hereby acknowledge the receipt and sufficiency thereof, the undersigned (Owner) hereby agrees to grant BP and/or its environmental consultants or subcontractors access to the Property in order to perform certain environmental activities which BP at its sole discretion chooses to perform. Such activities may include sampling, assessment, inspection, monitoring, installation of equipment, operation and maintenance of equipment, and remediation activities (Activities). Owner will provide BP information regarding the location of subsurface utilities in the area of the proposed Activities to the extent Owner is aware of such information.

BP will perform this work at no cost to Owner.

BP shall use reasonable efforts during its Activities to minimize interruption to the business or use of the Property. BP will repair any damage to the Property that may occur as a result of its Activities at the Property, including but not limited to restoration of the surface areas of the Property to their pre-drilling conditions, removal of equipment, and proper well closure.

Upon written request by Owner, BP agrees to provide the results of analytical testing performed by BP regarding its Activities at the Property and copies of all reports submitted to the appropriate State Agency. BP shall provide this information as a courtesy only. Use of any of the information contained in these documents is at Owner's sole risk. BP shall not be deemed to have made any representation or warranty, expressed or implied, as to the condition of the Property or the accuracy of the documents.

BP will indemnify Owner from third party claims that arise out of BP's negligence associated with the Activities performed by BP on the Property.

It is hereby agreed that the neither this Access Agreement nor the Activities on the Property are an admission against BP's interests or an assumption of liability or waiver of any rights by BP.

This Access Agreement will terminate once BP removes all of its soil borings and monitoring wells located on the Property and receives a No Further Action letter or similar Closure Letter from the appropriate State Agency.

Atlantic Richfield Company
Name of Responsible Party (RP)

Property Owner Signature / Title

Signature

Printed Name of Owner

Environmental Business Manager for RP
Signer's Title

Date of Authorization

Tom Venus/530-566-1400
Consultant Contact Person/Telephone Number

Telephone Number

ASSESSOR'S MAP 77A

Code Area No. 10-001
10-026

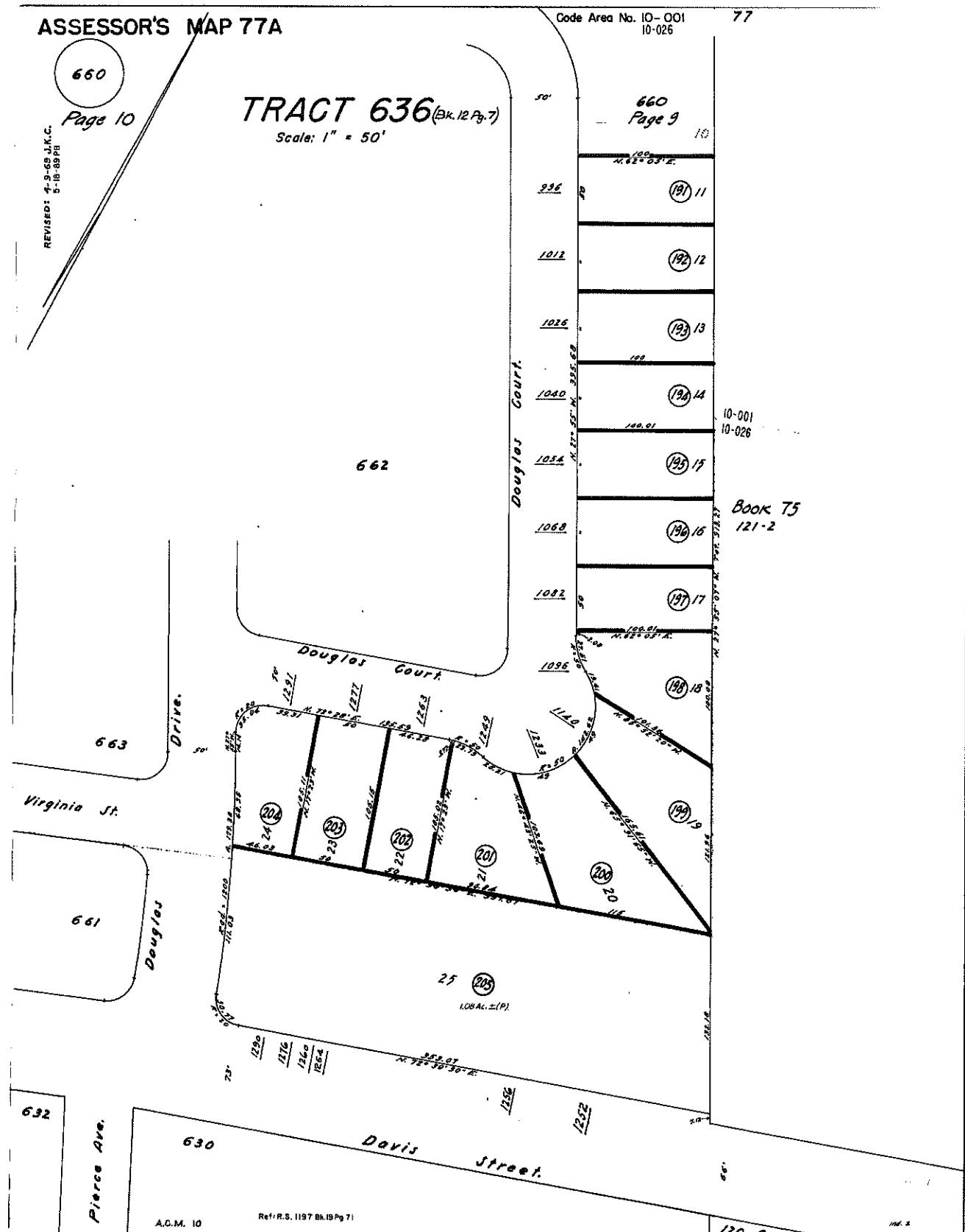
77

660
Page 10

REVISED: 4-9-65 J.K.C.
5-18-88 P.E.

TRACT 636 (Bk. 12 Pg. 7)
Scale: 1" = 50'

50'
660
Page 9
10
1012
1026
1040
1054
1068
1082
1096
10-001
10-026
BOOK 75
121-2



Name and Address of Sender
BROADBENT & ASSOCIATES, INC.
 1324 Mangrove Ave. Suite 212
 Chico, CA 95926

Check type of mail or service:

- Certified
 COD
 Delivery Confirmation
 Express Mail
 Insured
 Recorded Delivery (International)
 Registered
 Return Receipt for Merchandise
 Signature Confirmation

Affix Stamp Here
 (If issued as a
 certificate of mailing,
 or for additional
 copies of this bill)
 Postmark and
 Date of Receipt

8-25-09

BP2111 06-88-615
 Article Number

	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Davis Street Family Resource 3081 Teagarden Street San Leandro CA 94577	\$1.05	\$2.80									
2.	Jawad + Jeffery Tajeh 301 Castanada Drive Millbrae CA 94030	\$1.05	\$2.80									
3.												

Delivered at 3:02 PM on
 August 27, 2009
 in Millbrae, CA 94030

9002 8000 0000 4747 2150

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
 OFFICIAL USE

Postage	\$ 1.05
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.85



Sent To
 Davis Street Family Resource
 Street, Apt. No., or PO Box No. 3081 Teagarden Street
 City, State, ZIP+4 San Leandro CA 94577

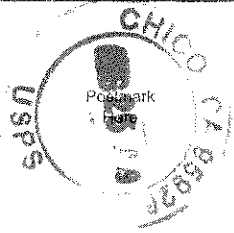
PS Form 3800, August 2006 See Reverse for Instructions

9002 8000 0000 4747 2150

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
 OFFICIAL USE

Postage	\$ 1.05
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.85



Sent To
 Jawad + Jeffery Tajeh
 Street, Apt. No., or PO Box No. 301 Castanada Drive
 City, State, ZIP+4 Millbrae CA 94030

PS Form 3800, August 2006 See Reverse for Instructions

Total Number of Pieces Listed by Sender: 2
 Total Number of Pieces Received at Post Office: [Signature]
 Postmaster, Per (Name of receiving employee): [Signature]

See Privacy Act Statement on Reverse

Complete by Typewriter, Ink, or Ball Point Pen



Track & Confirm

Search Results

Label/Receipt Number: **7008 3230 0001 4747 2150**

Service(s): **Certified Mail™**

Status: **Delivered**

Your item was delivered at 3:02 PM on August 27, 2009 in MILLBRAE, CA 94030.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Jawad + Jeffery Tajeh
301 Castenada Drive
Millbrae CA 94030

Contact Record

Project: ARCO 2111 Project No.: 06-88-615

Prepared by: Sam Barkley Type: Phone Date: 9/2/2009

Name & Title: Jawad Jajeh/ Owner of 1290 Davis St. Telephone: (650) 777-4314

Address: _____

Discussion:

Mr. Jajeh called about property access for 1290 Davis St that BAI was requesting on the behalf of BP-ARCO. He asked if we had called last year about access to his property and he told me (Sam Barkley) that he does not want any drilling on his property.

Signature: _____

NOTE: SITE MAP ADAPTED FROM DELTA ENVIRONMENTAL FIGURES.
SITE DIMENSIONS AND FACILITY LOCATIONS NOT VERIFIED.

