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June 6, 1995

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OUR FILE NUMBER

T 64324-00012

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WRITER'S DIRECT DIAL NUMBER

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Gilbert A. Jensen  
Sr. Deputy District Attorney  
District Attorney's Office  
7677 Oakport Street, Suite 400  
Oakland, Calif. 94621

Re: People v. National Airmotive Corporation  
Case No. H-179506-2

Dear Mr. Jensen:

As you may recall, this office represents National Airmotive Corporation ("NAC") in connection with the above-referenced matter, which was resolved by a Stipulation and Consent Judgment on or about October 21, 1994. For ease of reference, I have enclosed a copy of the Stipulation.

I write to provide a status report on NAC's performance with respect to certain aspects of the Judgment and to provide notice of a potential problem which may require further stipulation of the parties and/or review and modification by the Court of the terms of the Order.

NAC has been actively involved in fulfilling the terms of the Order since it was entered last October. A training plan was timely submitted pursuant to Paragraph 5(B), and the ongoing internal training should be completed well within the time frame provided by Paragraph 5(G). The development of the curriculum and materials for the Alameda County Training Program

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seminar, specified in Paragraph 5(G) will be prepared in the near future, based upon the internal training program currently underway. NAC has responded to the concerns of the DTSC as required by Paragraph 5(E). NAC has completed the environmental review of its facilities required by Paragraph 5(F) and will be reporting shortly on the findings and actions with respect thereto.

The potential concern has arisen with respect to the work relating to Paragraphs 5(C) and 5(D), the Jet-A fuel spill and "gray water" situations, respectively. NAC has been working for several months with Scott Seery, Department of Environmental Health, to develop and implement appropriate investigatory and remedial measures. Borings have already been done on the NAC premises with respect to the Jet-A fuel spill area.

However, both of these projects require work (i.e., borings and or monitoring wells) off of the NAC premises and on adjacent Port of Oakland property. In order to implement the investigation already approved by Mr. Seery, NAC has sought to obtain permission from the Port of Oakland for access to its property. The Port, however, has not been entirely cooperative in this regard, and NAC has run into substantial delays. Substantial further delays are anticipated by NAC given the procedures utilized by the Port to review and respond to the requests for access.

In light of the foregoing, NAC is concerned that, despite its diligent efforts and through no fault of its own, it will not be able to complete and/or commit to a sufficient amount of work by the one-year deadline specified in Paragraph 5(I) of the Order to receive the full amount of the \$125,000 to which it should be entitled. Although that deadline is over four (4) months away, NAC believes it is appropriate to bring the matter to your attention at this time so that we can determine if the issue can be resolved by stipulation (i.e., an agreed-upon extension to the deadline in Paragraph 5(I)) or whether a motion to the Court will be required.

We are, of course, hopeful that the matter can be resolved without the need to resort to a formal motion. To that end, I would appreciate it if you would give me a call at your earliest convenience to discuss the matter further.

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Thank you very much for your attention to this matter. I look forward to hearing from you shortly.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Bill Connell", written in dark ink. The signature is fluid and extends to the right.

William D. Connell

cc: National Airmotive Corporation

FA951560.066/1+

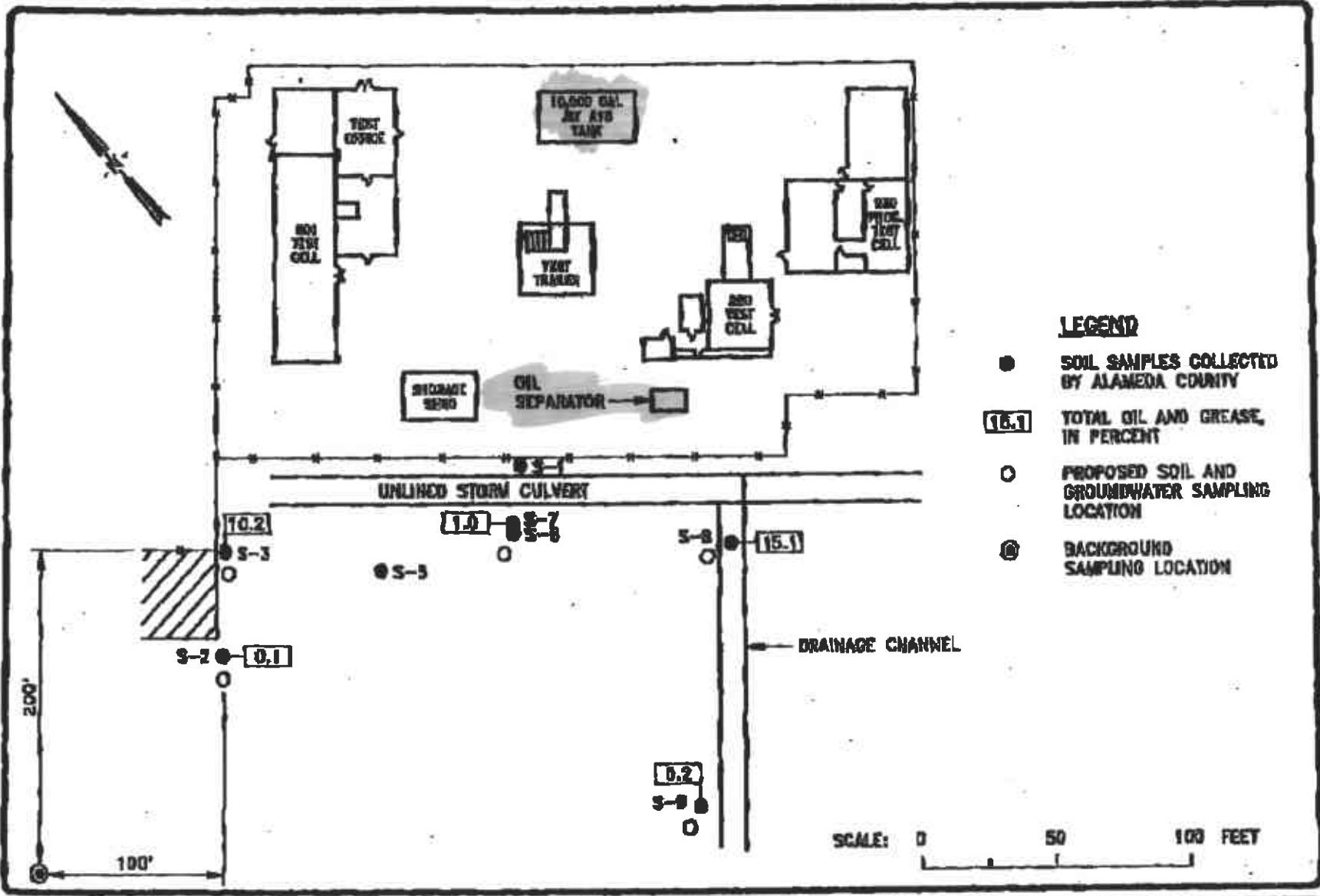
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MAY 17 1995 4:24PM

MAY 18 '95 02:04PM PORT OF OAKLAND ENVIRON DEPT

08/16/96 13:13 04064530482

EMCON FIELD SVCS

0004



NATIONAL ARMOTIVE CORPORATION  
7200 LOCKHEED STREET  
SOIL AND GROUNDWATER CHARACTERIZATION  
OAKLAND, CALIFORNIA

**"GREY WATER AREA" SAMPLING LOCATIONS**

FIGURE  
**1**  
PROJECT NO.  
PB4-080.09

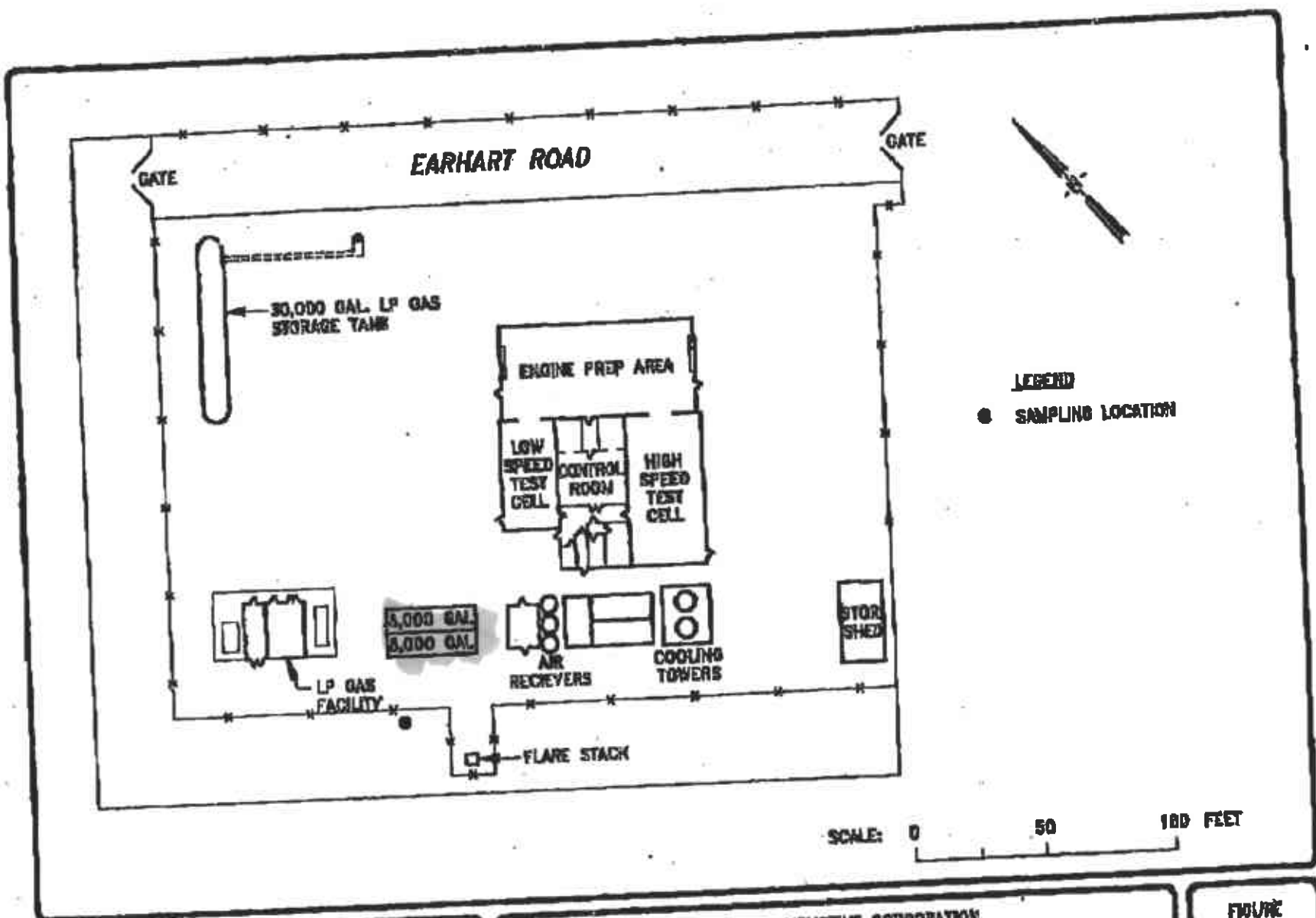
510 636 1216 MAY 17 '95 16:25  
MAY 17 '95 03:24 PM

MAY 18 '95 02:05 PM PORT OF OAKLAND ENVIRON DEPT  
510-636-1216 AIRPORT PROPERTIES

05/18/95 13:13 24084830482

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12003



**LEGEND**  
● SAMPLING LOCATION

SCALE: 0 50 100 FEET

**EMCON**  
Associates

NATIONAL MINIMATIVE CORPORATION  
7200 LOCKHEED STREET  
SOIL AND GROUNDWATER CHARACTERIZATION  
OAKLAND, CALIFORNIA

SAMPLING LOCATION

FIGURE  
**2**  
PROJECT NO.  
P94-050.12