

Detterman, Mark, Env. Health

From: Detterman, Mark, Env. Health
Sent: Thursday, January 29, 2015 6:11 PM
To: 'KenSchmier@aol.com'
Cc: Roe, Dilan, Env. Health
Subject: RE: Request for Meeting Date.

Mr. Schmier,

Thank you for contacting me today by phone and email. ACEH would like to work with you towards resolving the environmental issue at the site, including closure of the environmental case that was opened for the site. As discussed, your concern is that the former underground storage tank (UST) is reported to have been installed in the sidewalk in the public right of way, not on your property, and you are not aware of a connection to your property other than proximity. In our telephone conversation this afternoon you indicated that you would discuss this issue with the City of Emeryville and their environmental consultant in the near future in order to determine the City's take on the situation.

In our experience your concern is a possibility in Emeryville due to the long time use of USTs in an industrial city, prior to the registration requirement for USTs, and the subsequent loss of knowledge of the association of a UST to a site. However, available documents for this case, namely the Unauthorized Release Form or URF on file, indicate that the UST was removed by Schwabacker-Frey the former facility at your property, and thus was considered to be owned and associated with the property (the presumption is that the cost of a removal would not otherwise be borne by a company).

Regardless, in an effort to resolve this concern and move the case along the path towards closure, ACEH would also like to extend an invitation to the meeting under discussion to a representative of the City of Emeryville that can speak to this issue. ACEH looks forward to working with you in order to resolve the environmental case associated with your property.

I will put a reminder in my calendar to contact you in 3 weeks in order to make sure the case continues to be resolved and a meeting is held to determine a way forward.

Please let me know if you have any questions.

Thank you,

Mark Detterman
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PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: KenSchmier@aol.com [<mailto:KenSchmier@aol.com>]
Sent: Thursday, January 29, 2015 2:40 PM
To: Detterman, Mark, Env. Health
Subject: Request for Meeting Date.

We are in receipt of your letter of January 21, 2015 Eric Schmier and I will meet with you pretty much any time you want. Next week would be convenient for us. Mr. David Wendel is dead.

Kenneth J. Schmier
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