

Khatri, Paresh, Env. Health

From: Meinhard, David G [David.G.Meinhard@questdiagnostics.com]
Sent: Tuesday, October 14, 2008 9:46 AM
To: Khatri, Paresh, Env. Health
Cc: Sharpe, Timothy U
Subject: Fuel Leak Case RO0002860 re 6511 Golden Gate Drive, Dublin CA

Dear Mr. Khatri:

I am writing to you in response to your letter to Timothy Sharpe of Quest Diagnostics, dated September 28, which was written on behalf of the Alameda County Health Care Services Agency ("ACHCSA") regarding Fuel Leak Case RO0002860 for property located at 6511 Golden Gate Drive, Dublin, CA 94568 (the "property"). I have investigated the facts related to the property, and can provide you with the following summary of events based on information that I have been able to obtain.

An underground tank was removed from the property on or about November 7, 1989. As per a letter dated July 18, 1990 from Gil Wistar of ACHCSA to Bob Fernandez of Smith-Kline Bio Sciences, Ms. Wistar indicated that no further site remediation was needed at that time. Your recent letter indicates that the contaminant identified in the area of the property is diesel fuel. I have been advised that any underground fuel tank (which would have been utilized at the property to hold fuel for courier vehicles, such as minivans or station wagons) would have contained gasoline and not diesel fuel.

The property was sold by Quest Diagnostics to Safeway Inc. under an agreement between Quest Diagnostics and Safeway dated November 13, 2003. The sale closed on March 30, 2004. Under the terms of that agreement Safeway agreed to indemnify, defend and hold harmless Quest Diagnostics for any environmental claims that may arise related to the property. By letter, dated October 13, 2009, I placed Safeway on notice of the demand for indemnification.

In light of the above facts, the ACHCSA should be working with Safeway or the successor to their rights to the property, Randall's Food and Drug, LP, with regard to any environmental remediation at the site that may be warranted. I see from your September 28 letter that you also sent the letter to a representative of Safeway.

If you have any questions regarding this response, please feel free to contact me at your convenience. Thank you.

Very truly yours,

David Meinhard

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