

## Khatri, Paresh, Env. Health

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**From:** Guita Boostani [guita@boostani.com]  
**Sent:** Monday, January 16, 2012 10:23 AM  
**To:** Jane Brunner; Zachary Wald; Maria Barra-Gibson  
**Cc:** Patrick D. Zimski; Ian Martin; Vibeke Norgaard; chris neighbor; Khatri, Paresh, Env. Health; Stephen Glaudemans  
**Subject:** 6501 Shattuck Update  
**Attachments:** 6501 Dump.pdf

Dear Councilmember Brunner,

I just wanted to give you an update on 6501 Shattuck Avenue, and thank you for allowing us to provide information to the mayor and city attorney on the many illegal activities that have occurred on the site.

Since we spoke last we have tried very hard to get information about the Grading Permit that was filed with Building Services. We went to the Fire Department, Inspection Services, and Building Services, and were unable to locate any drawings, specifications, haul routes or even general conditions of approval that would have addressed OSHA safety, street closures, dust mitigation, and the handling of toxic materials.

There is apparently a great deal of confusion within the City about who is in charge of enforcing different aspects of this project. In searching for the Grading Permit we were told by staff\* that they could not locate the file because it was probably with the Fire Department. The Fire Department said it must be with the County. The County said that they wouldn't have it because a Grading Permit is issued by the City not the County. So the Grading Permit file is apparently missing in action and no one has been checking it to ensure compliance - even as neighbors have been questioning the lack of enforcement and extreme negligence in basic safety and health measures in the past two years.

The next step for the owner/developer is to provide a full report of the clean-up to the County for further review and possibly further action as required. We've just been informed by SOMA Environmental Engineers that their report is complete and is online for review. We have not had a chance to confirm this but we request 60 days for neighbors and our environmental engineer to review the documents. We would also expect that during this time any Zoning or Building applications for the site would remain on hold. In addition, we ask that if the original grading permit file cannot be located, that another one be filed/created with appropriate conditions of approval, BEFORE any further work is done on the site.

Finally, to augment our previous testimony before the Mayor and City Attorney, we would like to add additional information in the form of photos that show hazardous material being taken from 6501 Shattuck Ave to an unlicensed site in Bay Point. The attached photos have been previously sent to the Alameda County Environmental Health Department and we would like you to have a copy as well to ensure compliance and possible legal action. The Owner and Developer, Athan Maganass, was on the site practically every day and was fully aware of any and all violations that took place. It is our hope that all previous fines will remain in place, and additional fines will be levied to the maximum extent possible, for what is obviously ongoing and egregious violations.

Thank you for your continued assistance in this matter. I will be out of the country until early February. Please direct any communications to the neighbors included on this e-mail list.

Sincerely,

Guita Boostani

\* Jeffrey Hatcher, Gary Lim (who also checked w/ Ray Derania), Keith Matthews, and others (all were very nice and tried hard to find the files, but to no avail.)

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6501 Shattuck Avenue

Contaminated Soil Hauled to Unlicensed Site



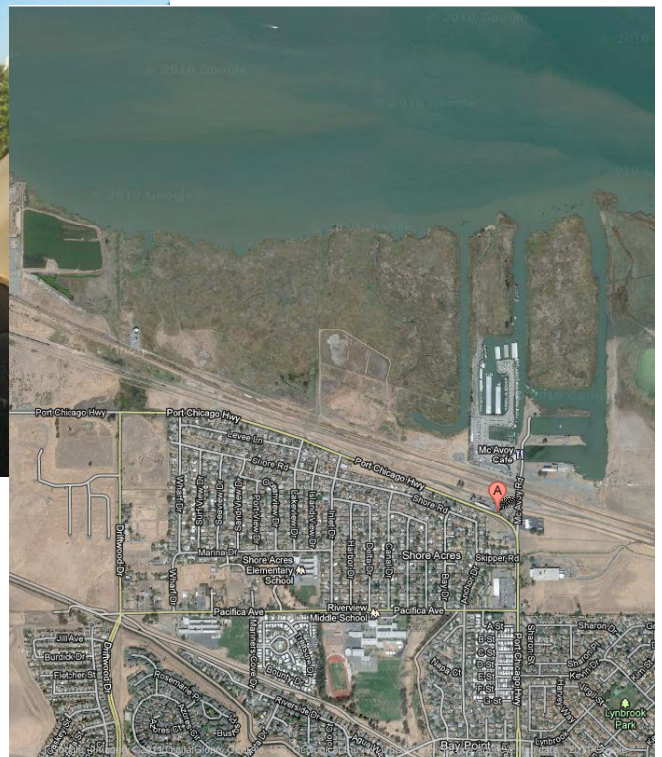
October 13, 2011

Golden Trucking loading  
Contaminated soil at  
6501 Shattuck Avenue



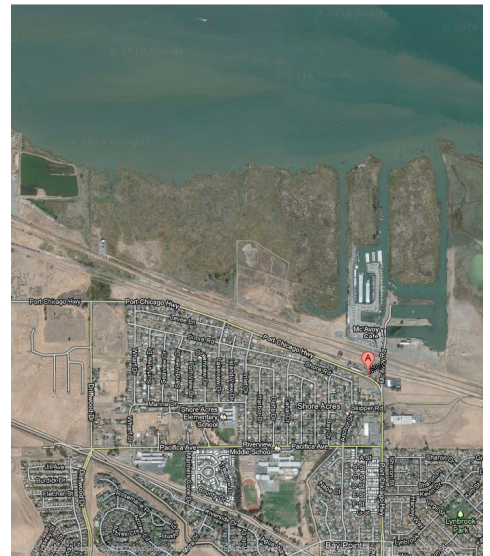
Then, truck drove directly to  
this unlicensed site in Bay  
Point.

**825 Port Chicago Hwy  
Bay Point, CA 94565**



6501 Shattuck Avenue

**Contaminated Soil Hauled to Unlicensed Site**



**825 Port Chicago Hwy  
Bay Point, CA 94565**

According to SOMA Environmental Engineers, all the contaminated soil was supposed to be hauled DIRECTLY to a Class 2 Landfill - No stops are to be made without authorization and proper documentation in the Soil Manifest.



The contaminated soil from 6501 Shattuck Avenue was hauled to a site that is located across the tracks from an active Shell Pond Restoration Project by PG&E.

