

Cullen, Pat@Waterboards

From: WB-USTClosuresComments
Sent: Friday, April 18, 2014 12:26 PM
To: Trommer, Bob@Waterboards; Cullen, Pat@Waterboards; Marie Rodriquez (rodriguez@ThriftyOil.com)
Cc: Lamar, Isomia@Waterboards
Subject: FW: "Comment Letter-Cal West Case Closure Summary"

Comment letter for Claim No. 9432.

From: Silva Properties [<mailto:silvaproPERTIES@hotmail.com>]
Sent: Wednesday, April 16, 2014 5:27 PM
To: WB-USTClosuresComments
Subject: "Comment Letter-Cal West Case Closure Summary"

To: Mr. Andrew Cooper
Re: USTCF Claim Number: 9342
Site Address: 44850 Industrial Dr
Fremont,CA 94538

From: Daniel,Michael & Richard Silva

As the registered property owner's, we object to closure of the USTCF Claim No: 9342 for the reasons listed below.

1. Any current or future liability would fall directly on us if the site was closed.
2. Potential Lawsuits against Cal West Concrete Cutting will be limited.
3. Possible increase in Potential Lawsuits (against the property owners) by others in the surrounding area for contaminated groundwater and soil.
4. Any current or future remediation would be our sole responsibility.
5. Burden of proof with regards to all matters pertaining to this USTCF Case would be our responsibility.
6. A potential sale of the property could be hindered by the contaminated groundwater and soil.
7. A potential sales contract for the property could be voided because of the contaminated groundwater and soil.
8. Levels of Benzene in monitoring wells MW-1,MW-2 and MW-3 have not reached water quality achievements.
9. Other contaminants in the groundwater are only nearly achieved.
10. Soil contamination levels have not been verified.
11. Contaminated soil has never been remediated or removed.
12. Contaminated groundwater has never been remediated or removed.

We respectfully request, that the State Water Resources Control Board not close the above referenced USTCF Case.

Thank you,

Daniel, Michael & Richard Silva
Property Owners