Mr. Sukhwinder Singh
DJS Partners, LLC
2026 Eureka Way
Redding, California 96001
August 25, 2015

Mr. Andrew Cooper
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814

Re: Potential Closure of Environmental Case, UST Cleanup Fund Claim No. 18650, 722 East Cypress Avenue, Redding, California (Case No. 450329)

Dear Mr. Cooper:

It has recently come to my attention that your agency intends to close the environmental case at our service station located at 722 East Cypress Avenue, Redding, California. I have prepared this letter in order to express our opposition to this pending case closure.

The current environmental case is the second environmental case on the property pertaining to underground fuel contamination. On August 6, 1997, the California Regional Water Quality Control Board (RWQCB) issued a letter closing a previous environmental case on the property (Exxon Station #7-0102, RWQCB Case No. 450010).

In 2004, Shasta County Department of Resource Management responded to a complaint from a consultant representing SBC/AT&T regarding the presence of petroleum products in manhole/vault located near the site. Despite the fact that there are several other service stations located in the neighborhood that have released motor vehicle fuel to the subsurface (755, 765, and 800 East Cypress Avenue), our facility was identified as a likely source of contamination. AT&T/SBC subsequently initiated legal action against our service station, and the RWQCB re-opened an environmental case on our property (Case No. 450329).

In late October 2013, a meeting was held between the RWQCB, AT&T, Stratus Environmental, Inc. (our current consultant), and DJS Partners. At this time, the group discussed several issues pertaining to the site, including performing remediation that would reduce the possibility that gasoline contamination in the future would be a nuisance to AT&T. At the time, we were willing to consider performing remediation work, however we requested that if the work would be completed, AT&T indemnify our service station against future claims. AT&T's legal department subsequently refused to

agree to this condition, and only minimal work has been completed at the site since this time.

We are concerned that if the environmental case is closed, and AT&T experiences another issue with their underground communication lines near our service station, that the whole situation with once again 'go in a circle'. Our current network of groundwater monitoring wells (MW-10 through MW-19) is in place for use under the current environmental case. If these wells are destroyed, and AT&T once again complains to the local governmental agencies and takes legal action against us, we are concerned that a third environmental case will be opened in the future and we will once again be required to perform environmental drilling and sampling.

We understand that it is not the responsibility of the State of California to provide our service station with legal protections or to negotiate an indemnification agreement with AT&T. However, we do believe that it is reasonable to keep the environmental case open in the event that interim efforts are needed to alleviate the nuisance condition that is being attributed to our service station. Given our position regarding this situation, we are therefore asking that the environmental case be kept open, in the event that funds from the UST Cleanup Fund are needed in the future for interim abatement of nuisance conditions to AT&T and their employees/subcontractors.

Sincerely,

Sukhwinder Singh
DJS Partners, LLC

cc: Mr. Scott Bittinger and Mr. Gowri Kowtha, Stratus Environmental, Inc.
Ms. Melissa Buciak, California Regional Water Quality Control Board.