



Linda S. Adams
Acting Secretary for
Environmental Protection



Department of Toxic Substances Control

Leonard E. Robinson
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Edmund G. Brown Jr.
Governor

February 17, 2011

Mr. Mark A. Rigau
Senior Trial Counsel
U. S. Department of Justice
Environmental Defense Section
301 Howard Street, Suite 1050
San Francisco, California 94105

FORMER BENICIA ARSENAL

Dear Mr. Rigau:

The Department of Toxic Substances Control (DTSC) received your letter dated February 2, 2011. DTSC appreciates that the parties are working toward a resolution regarding contamination issues on the former Benicia Arsenal (former Arsenal). DTSC is hopeful that agreements or settlements can be reached between the parties in a timely manner.

Your letter states that "while the United States and other potentially responsible parties are willing and available to meet with DTSC on February 22, 2011, given the current status it does not appear that it would be productive use of time." In light of the fact that DTSC is reviewing documents pertaining to the former Arsenal to gain a better understanding of the site conditions and you and your client are in discussions with the other potentially responsible parties (PRPs), we agree a meeting on February 22, 2011 would likely not be a productive use of time. DTSC is proposing instead that you and representatives for the other potentially responsible parties meet with DTSC staff on April 11th or 12th in Sacramento to discuss the outcome of your discussions with the other potentially responsible parties. At that time DTSC staff will be able to discuss why we believe further site characterization is necessary at the former Arsenal. Prior to the meeting I will be sending out an agenda.

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Please contact me at (916) 255-3771. If you would like to discuss this matter further.

Sincerely,



Carolyn V. Tatoian Cain, REA
Senior Hazardous Substances Scientist
Brownfields and Environmental Restoration
Department of Toxic Substances Control

cc: William J. Leady, P. E.
Colonel, U. S. Army
District Commander
U. S. Army Corps of Engineers Sacramento District
1325 J Street
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Elizabeth Patterson, Mayor
City of Benicia
250 East "L" Street
Benicia, California 94510-3285

Jimmy Triplett
Senior Vice President
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Historic Arsenal Park, LTD.
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William Klesse, President and CEO
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cc: Continued on the next page.

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cc: Continued (via e-mail)

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