



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

September 15, 2010

Historic Arsenal Park, LTD.
c/o Gordon Potter
P. O. Box 887
Benicia, California 94510

Dear Mr. Potter:

FORMER BENICIA ARSENAL, BENICIA CALIFORNIA (ARSENAL)

The California Department of Toxic Substances Control (DTSC) and the United States Army Corps of Engineers (USACE) have been in discussion regarding the investigation and cleanup of the former Arsenal, a formerly used defense site, for several years. DTSC believes that additional investigation and possibly remediation must be performed on the site.

USACE has stopped work on the site and has designated the former Arsenal a potential responsible party (PRP) project pursuant to the USACE Engineer Regulation No. 200-3-1, *Environmental Quality, FUDS Program Policy*, May 10, 2004. This means that USACE may now attempt to negotiate financial settlements with PRPs, so that the PRPs conduct any necessary remaining investigation and cleanup. Further, we understand from conversations with USACE staff, that USACE believes it has completed all required investigation and remediation on the site.

Historic Arsenal Park, LTD. owns property where hazardous substances exist or may exist and therefore Historic Arsenal Park, LTD. must be involved as an integral part of the investigation and cleanup.

A meeting has been scheduled for September 30, 2010 at 10:00 A.M. and will be held at the Commanding Officer's Quarters located at #1 Commandant's Lane in Benicia. We are requesting that Historic Arsenal Park, LTD., the USACE and certain specified additional landowners attend this meeting.

DTSC's intent is to find a mutually agreeable path forward to complete the investigation and cleanup.

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If you would like to discuss this matter further, please contact me at 916-255-3582 or Daniel T. Ward at 916-255-3676.

Sincerely,



Raymond Leclerc, P.E.
Assistant Deputy Director
Brownfields and Environmental Restoration
Department of Toxic Substances Control

cc: Congressman George Miller
375 "G" Street, Suite 1
Vallejo, California 94592

State Senator Patricia Wiggins
444 Georgia Street
Vallejo, California 94590

Assemblymember Mariko Yamada
555 Mason Street, Suite 275
Vacaville, California 95688

Mr. Jerry Vincent
BRAC/FUDS Section Chief
United States Army Corps of Engineers
Sacramento District
1325 "J" Street
Sacramento, California 95814

Ms. Heather McLaughlin
Benicia City Attorney
250 East "L" Street
Benicia, California 94510

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Mr. Bruce Wolfe, Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, # 1400
Oakland, California 94612-1482

cc (via email):

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Acting Deputy Director
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