



State Water Resources Control Board



Division of Water Quality

Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

DEC 4 2007

CERTIFIED MAIL NO. 7004 1160 0002 0463 2024

David J. Kears, Agency Director
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Dear Mr. Kears:

REQUEST FOR ACCESS TO AGENCY RECORD, RESPONSE TO PETITION, INTERESTED PERSONS LIST, PETITION FOR UNDERGROUND STORAGE TANK (UST) CASE CLOSURE OF UNDERGROUND STORAGE TANK SITE, CARNATION DAIRY (LOP Case #RO0000018), 1310 14th STREET, ALAMEDA COUNTY

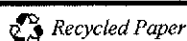
Any UST tank owner, operator, or other responsible party may petition the State Water Resources Control Board (SWRCB) for review of a decision denying case closure (Health and Safety Code §25296.40., subdivision (a)(1)). The SWRCB has received a petition for case closure review at the above UST release site. A copy of this petition is enclosed.

My staff is currently reviewing this petition. To understand the nature of the release, history of actions taken at the site and present site conditions, the SWRCB will review the complete agency record for the site and your response to the attached petition. Therefore, the SWRCB must obtain copies of all reports, correspondence, field and phone records, permits, notices, and any other records in your files pertaining to the site, within 20 days of the date of this letter (Cal. Code Regs., tit.23, §2814.7, subd.(a)). Ben Heningburg of my staff will contact you to arrange a mutually convenient time to copy the complete record, at your offices, within the twenty day time requirement.

The SWRCB must receive from you a list of any persons known by your agency to have an interest in the subject matter of the petition within 10 days of the date of this letter (Cal.Code Regs.,tit.23,§2814.7, subd. (a)).

The SWRCB must receive a copy of your response to the petition within 20 days of the date of this letter. (*Id.*, §2814.7, subd.(a)). Your response must also be provided to petitioner. (*Id.*, §2814.7, subd.(c).) The deadlines for filing a response to the petition or submitting the record may be extended by the SWRCB. (*Ibid.*)

California Environmental Protection Agency



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ENVIRONMENTAL HEALTH SERVICES

David J. Kears

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If you have any questions, please call me at (916) 341-5752.

Sincerely,



George W. Lockwood, Chief
UST Cleanup Unit

Enclosure(s)

cc: Noelia Marti-Colon
Nestle USA, Inc.
800 N, Brand Blvd.
Glendale, California, 910208

Encinal 14th Street, LLC
c/o Hall Equities Group – Ken Cheitlin
1855 Olympic Boulevard, Suite 250
Walnut Creek, CA 94596

Binayak Acharya
Environmental Cost Management
52830 Quilla Road
Valencia, CA 91355

Robert Flory
AEI Consultants
2500 Camino Diablo, Blvd., Suite 200
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Jerry Wickham
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