



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Financial Assistance
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Arnold Schwarzenegger
Governor

DEC 09 2009

Alameda County

DEC 15 2009

CERTIFIED MAIL: 7003 1680 0000 6168 0954
Return Receipt Requested

Environmental Health

Ms. Catherine Johnson
Wendel, Rosen, Black and Dean LLP
1111 Broadway, 24th Floor
Oakland Ca 94607-4036

Dear Ms. Johnson:

UNDERGROUND STORAGE TANK (UST) CLEANUP FUND (FUND), REQUEST FOR EXTENSION TO SUPPLMENT FINAL DIVISION DECISION (FDD); CLAIM NO. 001342; FOR SITE ADDRESS: 1001 42ND ST, OAKLAND, CA

By a letter dated September 4, 2009, you requested an FDD on behalf of your client, 1001 42nd Street, LLC, Assignee (42nd Street LLC), claimant to the Fund for reconsideration of the Fund Manager Decision (FMD) dated July 7, 2009. The FMD upheld the Fund Staff Decision to deny the 42nd Street LLC's request for a Priority Class change from Priority Class "D" to Priority Class "B". In the September 4, 2009, letter, you requested an extension of time to submit supplemental documents to support 42nd Street LLCs request for a priority class change.

Decision

Your request for a 60 day extension to submit supplemental information is approved. The extension is granted for 60 days from the date of this letter.

Please note that the documents needed must support 100 or less employees for the eligible claimant Ameritone Paint Corporation, Assignor, together with all affiliates.

This extension approval is for Fund matters only. Your clients are still responsible for meeting any regulatory directives/time schedule orders issued by the UST regulatory agency overseeing the corrective actions on your site.

Ms. Catherine Johnson
Claim No. 1342

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If you have any further questions, please contact Ms. Diana Romero at (916) 341-5766 or if you have questions specific to your claim, please call Ms. Shari Knieriem at (916) 341-5714.

Sincerely,



Barbara L. Evoy, Deputy Director
Division of Financial Assistance

cc: Mr. Terrence M. Mcgrath
1001 42nd St, LLC, Assignee
130 Webster Street, Suite 200
Oakland, CA 94607

Ms. Donna Drogos
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Floor
Alameda, CA 94502-6577

Mr. Robert R. Kovalak, Director
Akzo Nobel Paints LLC
15885 West Sprague Rd., East Building
Strongsville, OH 44136