



State Water Resources Control Board



Division of Financial Assistance

1001 I Street • Sacramento, California 95814

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(916) 341-5714 • FAX (916) 341-5806 • www.waterboards.ca.gov/water_issues/programs/ustcf/

Linda S. Adams
Secretary for

Environmental Protection

Arnold Schwarzenegger
Governor

June 24, 2009

Barbara Holland et. al.
C/O Brian Kelleher Associates
5655 Silver Creek Valley Rd, PMB 281
San Jose, CA 95121

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND); REQUEST FOR FURTHER DOCUMENTATION DURING INITIAL REVIEW: CLAIM NUMBER 019354; FOR SITE ADDRESS: 900 CENTRAL AVE, ALAMEDA

On May 12, 2009, the Fund received your recent documentation to the Fund. The Fund has reviewed your documentation and determined that Barbara Holland et. al., has established that they are an eligible UST owner and may submit an application to the Fund. The ownership of the USTs has been demonstrated with the submittal of both the Grant Deed dated May 25, 1971, and correspondence from Fire Prevention Bureau, dated September 24, 1975, that witnessed the removal of the USTs.

Since the UST ownership has been determined, we will continue with the review of the application. The remaining of the review will be determining priority, verification that the unauthorized release was from the USTs that are subject to the claim, and any other issues that will need to be verified before we can place the claim on the Priority List.

Submitted with the claim application was the Agreement (enclosed) relating to State Water Resources Control Board, Cleanup Fund Reimbursement. Both Barbara Holland and Jack Holland Jr. have signed the Agreement. Please advise if the Estate of John Holland Sr (Estate) must sign this Agreement. If so, please have the appropriate person sign the Agreement that acknowledges the USTs that were removed in 1975 will under the name of Barbara Holland et al. If the signature of the Estate is not necessary, please advise.

On March 19, 2009, the Fund revised the Priority Class B package. For your convenience I have enclosed the documents that will need to be completed by all of "et. al;" in order to determine if they meet the requirement for Priority Class B. Listed below is a brief description for Priority Class B.

Priority Class "B" small business is for those businesses that are independently owned and operated, not dominant in the field of operation, employs 100 or fewer employees, and including all affiliates, have annual gross receipts of \$12 million dollars or less over the three years prior to the date of the claim application to the Fund. If a business is a

manufacturer, there is no revenue test. However, the manufacturer, including all affiliates, must also employ 100 or fewer employees.

If you believe you qualify for Priority Class "B", please submit the following documents for review:

- Complete federal tax returns for the claimant and for each affiliate for three calendar years prior to the date of the claim application submittal. (Refer to Appendix B, page 28 of the claim application to determine all federal tax forms that must be submitted.)

AND

- Documentation supporting the number of employees for the claimant, claimant's business and any affiliates [i.e. Employment Development Department (DE-6) payroll reports] for the four quarters prior to the date of claim application submittal.

NOTE: Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your claim.

If you have any questions, please contact me at (916) 341-5714.

Sincerely,

Original signed by Shari Knieriem

Shari Knieriem
Claims Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Donna Drogos (RO0000084) w/o
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

cc: Ms. Julie Osborn w/o
Staff Counsel
Underground Storage Tank Cleanup
Fund

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