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APR 16 2012

WILLIAM W. HATCHER, Jr.
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April 13, 2012

Environmental Health
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Via Email (Shill@waterboards.ca.gov) & U.S. Mail

Steven Hill
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

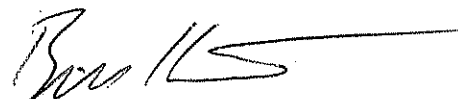
**Re: Notice of Enforcement Referral; Fuel Leak Case No.
RO0000172 and GeoTracker Global ID T06019762689, Walt's
Transmission; 1723 Fruitvale Avenue, Oakland, CA 94601**

Dear Mr. Hill:

This firm represents Jack Sumski. Mr. Sumski has been receiving copies of correspondence from the Alameda County Environmental Health Care Services addressed to Jose and Nelly Castellanos, the owners of the above-referenced property. According to the ACEH, the Castellanos' have refused to comply with GeoTracker regulations, and, as a result, the matter has been turned over to you for enforcement.

My client owned the subject property for only a short period of time (several years) before he sold it to the Castellanos in 2001. During the time that my client owned the property, he conducted no activities on the property that could have contributed to any contamination whatsoever. Since the time that the property was sold to the Castellanos, my client has repeatedly requested that they comply with the ACEH regulations. He even had me write a letter to the Castellanos (a copy of which is enclosed herewith) advising them of their obligations to do so. If my client were able to force the Castellanos to comply with the monitoring regulations imposed by the ACEH he would. However, as he has not held title for over ten years, his hands are tied. Please advise us as to what, if any, steps you feel my client could or should be taking to assist in this matter.

Very truly yours,



William W. Hatcher, Jr.

WWH/er
Enclosure
cc: Client (w/o enclosure)
Jerry Wickham (ACEH) (w/enclosure)

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Via Federal Express

Jose and Nelly Castellanos
2191 Valleywood Drive
San Bruno, CA 94066-1961

Jose and Nelly Castellanos
1499 A Terra Nova Blvd.
Pacifica, CA 94044-3616

**Re: 1723 Fruitvale Avenue, Oakland, California; Fuel Leak Case No.
RO0000172 and GeoTracker Global ID T06019762689, Walt's
Transmission**

Dear Mr. and Mrs. Castellanos:

This firm represents Jack Sumski, the former owner of the above-referenced property. As you know, Mr. Sumski has repeatedly been copied on letters addressed to you from the County of Alameda Health Care Services (ACEH) regarding your alleged refusal to comply with GeoTracker regulations regarding monitoring of PCE at the property. Notices of violations were apparently issued July 24, 2009 and February 28, 2011. According to the ACEH, you failed to respond to a letter dated May 31, 2011 which has now resulted in the matter being referred to the San Francisco Bay Regional Water Quality Control Board for enforcement actions. It is my understanding that such enforcement actions could result in the imposition of significant fines against you and could result in the loss of your property.

As you know, Mr. Sumski hasn't owned or been involved in this property since he sold it to you in 2001. Furthermore, Mr. Sumski only owned the property for a few years and was not involved in any of the activity that could have contributed to the contamination of the property. I am concurrently writing to both the ACEH and the SFBRWQCB to advise them of these facts. You are strongly advised to immediately contact both the ACEH and the SFBRWQCB to arrange to comply with the GeoTracker regulations and to avoid further enforcement actions. In the event either agency attempts to impose monetary sanctions against Mr. Sumski, he will expect you to fully indemnify and hold him harmless.

Please call with any questions.

Very truly yours,



William W. Hatcher, Jr.

WWH/er
cc: Client

