



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Financial Assistance

1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
(916) 341-5714 • FAX (916) 341-5806 • [www.waterboards.ca.gov/water\\_issues/programs/ustcf/](http://www.waterboards.ca.gov/water_issues/programs/ustcf/)



Arnold Schwarzenegger  
Alameda County Governor

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Environmental Health

Ms. Kay Ku  
35 Castlewood Dr  
Pleasanton, CA 94566

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), STAFF DECISION TO REJECT CLAIM: CLAIM NO. 019059; FOR SITE ADDRESS: 2006 ENCINAL AVE, ALAMEDA

Your claim has been found to be ineligible for placement on the Priority List for the following reason:

Petroleum Underground Storage Tank Cleanup Fund Regulations, Section 2811.2(n) reads in part:

“any other information or supporting documentation reasonably required by the Division to determine eligibility...”

### Background & Discussion

The Fund received your application on September 10, 2007. After reviewing the application and supporting documents, Fund Staff sent a letter to you dated December 4, 2007, requesting additional documents in order to complete the initial review of your claim application. Subsequently, the Fund followed up with another letter to you dated April 22, 2008 requesting documentation to complete your application.

To date you have not responded to the Fund's request for the additional documents in order to complete the initial review of your claim application. As a result, the Fund cannot make an eligibility decision until all of the previously requested documents are submitted for review. Thus, your claim is ineligible pursuant to the section cited above.

If you choose to appeal this staff-level decision, Fund Staff recommends submitting all of the requested documents to substantiate your eligibility to the Fund in order to receive reimbursement for the corrective action costs you have incurred for the contamination at the subject site. Also your priority class has not been determined. You originally requested Priority Class C; however due to the cash shortage, you may want to revise your priority request to Priority Class B. Please be advised that the Fund has revised the Priority Class B package. Please refer to our web page at:

[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](http://www.waterboards.ca.gov/water_issues/programs/ustcf/)

NOTE: The sections cited are found in the Petroleum Underground Storage Tank Cleanup Fund Regulations, Title 23, Division 3, Chapter 18, of the California Code of Regulations, or Petroleum Underground Storage Tank Cleanup Fund Statutes, California Health and Safety Code (H&SC), Division 20, Chapter 6.75.

If you disagree with this Staff Decision, you may appeal to the Fund Manager pursuant to Section 2814 of the *Petroleum Underground Storage Tank Cleanup Fund Regulations*. If you would like review of the decision by the Fund Manager, please submit your request along with any additional documentation to:

Ronald M. Duff, Fund Manager, Claim #019059  
Underground Storage Tank Cleanup Fund  
State Water Resources Control Board  
Division of Financial Assistance  
P.O. Box 944212  
Sacramento, CA 94244-2120

A request to the Fund Manager must include, at a minimum: (1) a statement describing how the claimant is damaged by the prior Staff Decision; (2) a description of the remedy or outcome desired; and (3) an explanation of why the claimant believes the Staff Decision is erroneous, inappropriate or improper.

If you do not request a review by the Fund Manager within thirty (30) calendar days from the date of this letter, the Staff Decision will then become final and conclusive.

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

Sincerely,

KS

Shari Knieriem  
Claims Review Unit  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos ✓  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577