



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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## NOTICE TO COMPLY

July 24, 2009

JOHN GIBSON  
FALASCHI BROTHERS  
1534 FIFTH AVENUE #4  
SANRAFAEL CA 94901

FIRST2409 LAST2409  
460 GRAND OAKLAND LLC  
1800 SUTTER ST #500  
CONCORD CA 945202587

JAMES BURNS II  
D & B BELLEVUE LLC  
165 10TH ST  
SAN FRANCISCO CA 941032604

Subject: GeoTracker Status for Fuel Leak Case No. RO0002467 and GeoTracker Global ID T06019779893, GULF #0006, 460 GRAND AVE, OAKLAND CA 94610

Dear Responsible Party:

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that the site has not been claimed in the database; therefore electronic copies of analytical and survey data have not been uploaded to the SWRCB GeoTracker database, thus rendering the site to non-compliance status. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, and Section 13304 of the Water Code, you are required to claim your site and subsequently electronically transmit reports and other site data, as required.

In order to regain compliance, please claim your site ([www.geotracker.waterboards.ca.gov](http://www.geotracker.waterboards.ca.gov)), upload all analytical data (EDF), including monitoring well survey data (GEO\_XY and GEO\_Z), and PDF reports from July 1, 2005 to current, to the SWRCB's GeoTracker database and submit verification to ACEH by **August 10, 2009**. Failure to claim the site by the due date specified above may result in issuance of a Notice of Violation and/or possible referral to the Office of the District Attorney for enforcement action.

If you have any questions, please call me at (510) 383-1767 or send me an electronic mail message at [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org).

Sincerely,

Steven Plunkett  
Hazardous Materials Specialist

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))  
Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Steven Plunkett, ACEH (Sent via E-mail to: [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org))  
Geotracker, File