



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

## NOTICE TO COMPLY

July 28, 2009

Mr. Darren Berberian  
Oakland Housing Investors, L.P.  
c/o National Affordable Communities  
4299 MacArthur Boulevard, Suite 215  
Newport Beach, CA 92660

Mr. Curtis Eisenberger  
1396 Fifth Street LLC  
1357 5<sup>th</sup> Street, Suite B  
Oakland, CA 94607

Subject: SLIC Case RO0002896 and Geotracker Global ID T06019794669, Red Star Yeast/1396 Fifth Street LLC, 1396 5<sup>th</sup> Street, Oakland, CA 94607

Dear Mr. Berberian and Mr. Eisenberger:

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 14, 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 510-567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Responsible Parties  
RO00002896  
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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@accgov.org](mailto:donna.drogos@accgov.org)*)  
Jerry Wickham, ACEH

Geotracker, File

**RESPONSIBLE PARTY OF RECORD AS OF 07/22/2009**

**RO0002896, RED STAR YEAST / 1396 FIFTH STREET LLC, 1396 5TH ST , OAKLAND, CA, 94607**

Alameda County Environmental Health (ACEH) has the following information on record regarding the Responsible Party(ies) for the above referenced site. Please update the following information for our records. Should you have contact information regarding additional Responsible Parties, please correct the information accordingly. Also, please check the "e-mail preferred" box to receive all future correspondences and notifications by e-mail.

E-mail Preferred

Hardcopy Preferred

ACEH is requesting your e-mail address so that we can correspond with you quickly and efficiently regarding your case. Please note that ACEH respects your privacy. Your e-mail address will remain confidential and will not be provided to any third party.

**Current Information**

CURTIS EISENBERGER  
1396 FIFTH STREET ASSOCIATES  
555 FLORIDA ST, SUITE 100  
SAN FRANCISCO CA 94110

**Corrections or Additions**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Home Phone: (\_\_\_\_) \_\_\_\_\_  
Office Phone: (\_\_\_\_) \_\_\_\_\_  
Cell Phone: (\_\_\_\_) \_\_\_\_\_

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