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2009-9-14



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Financial Assistance
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Arnold Schwarzenegger
Governor

Alameda County
SEP 16 2009
Environmental Health

September 14, 2009

Huynh Cheng Family Living Trust
c/o Jeffrey Huynh
5901 MacArthur Blvd
Oakland, CA 94577

Dear Mr. Jeffrey Huynh:

ORPHAN SITE CLEANUP FUND, NOTICE OF ELIGIBILITY DETERMINATION: FILE NUMBER : B112 FOR SITE ADDRESS: 5901 MacArthur Blvd, Oakland

Application Acceptance

Your Orphan Site Cleanup Fund (OSCF) application for the site located at 5901 MacArthur Blvd, Oakland, CA has been determined eligible. We are prepared to move forward with grant funding for your project. Your grant will be funded by a federal grant from the United State Environmental Protection Agency (U.S.EPA) under the American Recovery and Reinvestment Act of 2009 (ARRA). Grant funding is based on the applicants' readiness to move forward with response actions and availability of funds.

As a private party receiving ARRA grant funds, you will be required to comply with both federal and state requirements, including federal procurement requirements in 40 Code of Federal Regulations (CFR) part 30 and ARRA-specific reporting and transparency requirements regarding job creation. **Prior to receiving an OSCF grant using ARRA funds, you must certify that you have completed the OSCF online training course on fraud, waste, and abuse.** Refer to the enclosed grant guidance document for further information.

Pre Grant Paperwork:

We have enclosed the following pre-assessment and pre-cleanup grant agreement paperwork for your review.

1. Assessment/Cleanup Grant Agreement Procedures and Process
2. Assessment/Cleanup Grant Agreement
3. Exhibit A - Scope of Work And Project Schedule
4. Exhibit B - Invoicing And Budget Detail
5. Exhibit C - General Terms And Conditions
6. Exhibit D - Specific Terms and Conditions
7. Exhibit E - Definitions

California Environmental Protection Agency

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8. Exhibit F - Davis-Bacon Act Compliance

You will be required to verify grantee information on the enclosed Grant Agreement and submit a proposal for Exhibits A and B. The pdf copy of the Grant Agreement and Word versions of Exhibits A and B have been sent to you electronically.

When preparing the Scope of Work (SOW), provide a brief background of the response work that has been conducted to date at the site. A sample SOW, Project Work Schedule and budget are included for guidance in the above exhibits, identified as Exhibit A and B. Your SOW must include all work to complete a site assessment up to a corrective action plan, if required/ Your SOW must include the work necessary to carry out an approved Corrective Action Plan/Remedial Action Plan. The SOW requires a brief and quantified description of the tasks that will be performed.

In the budget, include for each task identified in the SOW, a breakdown of the estimated numbers of hours, the job classification and hourly rate of personnel performing the task, and subcontractor charges.

Note: All costs requested in the grant agreement must be incurred on or after July 15, 2009.

Record keeping:

During this project period you must keep well-organized records of all response action work invoices, technical reports, regulatory directives and payment transactions. Once a grant agreement has been executed between you and the State Water Board, you will be required to follow grant agreement instructions when requesting reimbursement of response costs under the grant agreement.

Reimbursement invoice packages for response work performed under the terms of the grant agreement must include: copies of detailed invoices for all response work activity performed (including subcontractor invoices), with description and date of work performed, name or initials, job classification, hourly rate, number of hours charged, and the cost of the work performed. These documents are necessary for reimbursement review and failure to submit them could impact the amount of reimbursement made by the OSCF program.

All OSCF grantees that receive ARRA funding may be subject to audit and/or investigation by the United States Office of Inspector General and/or the California Office of Inspector General. It is the grantee's responsibility to be aware of and comply

with all of the terms and conditions in the grantee's Grant Agreement. Failure to comply may result in termination of the Grant Agreement and/or prosecution.

Review, complete and submit pre grant documents, Exhibit A and Exhibit B to me within twenty (20) days of the date of this letter via e-mail at pcross@waterboards.ca.gov or on a diskette. Grant agreements will be effective once an agreement can be negotiated and the signed grant agreement is executed.

If you have any questions, please contact me at (916) 327-7846. NOTE: The issuance of grant monies is subject to availability of funds.

Sincerely,



Pearl Cross
Orphan Site Cleanup Fund
Division of Financial Assistance

cc: Steven Plunkett
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577