



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) 341-5765 • FAX (916) 341-5806 • www.waterboards.ca.gov/water_issues/programs/ustcf/



Arnold Schwarzenegger
Governor

December 28, 2010

Terradev Jefferson, LLC
Sara May
580 2nd St
Oakland, CA 94607

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), STAFF DECISION TO REJECT CLAIM: CLAIM NUMBER 019748; FOR SITE ADDRESS: 645 4TH ST, OAKLAND

After reviewing your claim application and supporting documents submitted to the Fund, we find that your claim is ineligible for placement on the Priority List. All the required documentation and/or information necessary to make an eligibility determination was not submitted. The following documentation and information is missing and must be submitted to determine your eligibility for placement on the Priority List:

1. Verification of site ownership. Per page 4 of the 5/22/06 Site Assessment Update, "Metrovation" has owned the property since 2001. Who is Metrovation?
2. What is the relationship between the site owners listed on page 8 of the application? Reba Altward et al has the same address as 3rd & Jefferson Properties; Terranomics appears to be associated with Terradev Jefferson, LLC and Terradev Jefferson, LLC appears to be a combination of 3rd & Jefferson Properties and Terranomics. Please clarify.
3. Amended page 8 of the application as there is a gap in history from 1972 to 1987.
4. On page 8, all operators were listed as "N/A". What does this mean? To your knowledge, or that of any affiliate, when did the subject UST cease operation?

5. Amended Priority B Worksheet (enclosed), as the one submitted does not appear to list all affiliates. Note: The questions for #3 are relative to the **Claimant and the individual owners**. The only affiliate listed is "Terranomics Development Corp", however, it appears there are other companies affiliated with the individual owners of Terradev Jefferson, LLC. In addition, there is conflicting information regarding employees. Per page 1, 3. h), employees are shared with another business, yet on page 2, zero employees were listed. Please clarify, and submit either a) a statement under penalty of perjury that there are no employees for the claimant and all affiliates, or b) DE-6 forms for all employees of claimant and all affiliates for the four quarters prior to submittal of your application.
6. Complete the enclosed "Request for Assignment of Claim to Priority Class B (Small Business) Addendum to the UST Cleanup Fund Application".
7. Amended page 10, as the UST was not exempt from permitting requirements (it was not decommissioned before 1/1/84).
8. A copy of any permits from 1987 (when the local agency began permitting) to the time of your acquisition of the property.
9. Amended page 18 as the tank was not removed prior to the compliance date of 12/31/93.
10. Claimants are required to have current financial responsibility documents on file with the local regulatory agency. Please submit the original documents to the local regulatory agency and forward a copy to the Fund. Any questions regarding financial responsibility should be directed to Ginny Lagomarsino at (916) 341-5722.
11. You indicate the tank was discovered during building renovation. Please be more specific (i.e., the date of discovery, work being done, etc.) In addition, provide documentation to verify when and how the UST was discovered.
12. Per 5/20/09 letter from Alameda County, a request was made to confirm that no piping or dispensers remain at the site, however, I do not find a response to that request. Please clarify if there was any piping, a dispenser or concrete slab for a dispenser, a fill pipe or vent pipe, etc.
13. A copy of the Articles of Organization to verify the claimant entity type.

If the documentation and information requested above is not submitted within sixty (60) calendar days from the date of this letter, the Staff Decision will then become final and conclusive.

If you have any questions, please contact me at (916) 341-5765.

Sincerely,

O/S

Lu Anne Rolland
Claims Review Unit
Underground Storage Tank Cleanup Fund

Alameda County

DEC 29 2010

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