

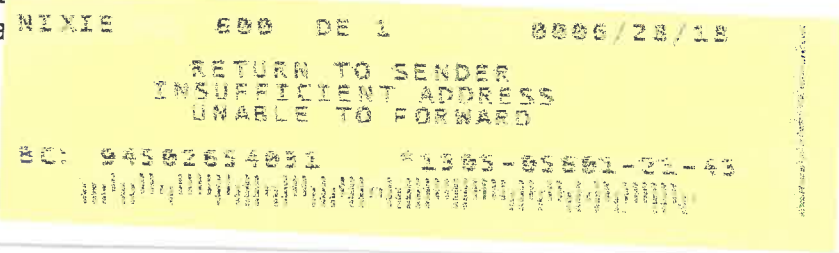


**ALAMEDA COUNTY  
HEALTH CARE SERVICES AGENCY**  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

OAKLAND  
CA 945  
21 JUN '18  
PM 3 L



A.A. Zatopa  
141 Jackson Street  
Chicago, IL 60604



703203

ALAMEDA COUNTY  
**HEALTH CARE SERVICES  
AGENCY**

COLLEEN CHAWLA, DIRECTOR



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

**NOTICE OF VIOLATION**

June 19, 2018

Michael E. Mueller and Stephen P. Nicholls  
2400 Union Street  
Oakland, CA 94607-2418  
(Sent via E-mail to: [snicholls@mnbuild.com](mailto:snicholls@mnbuild.com))

A.A. Zatopa  
141 Jackson Street  
Chicago, Il, 60606

Subject: Notice of Violation for Fuel Leak Case No. RO0003203 and GeoTracker Global ID T10000008515, Union Street, 2400 Union Street, Oakland, CA 94601

Dear Ladies and Gentlemen:

A review of the case file for the above-referenced site indicates that your case is currently in not in compliance with Alameda County Department of Environmental Health's (ACDEH's) May 16, 2017 Notice to Comply Letter, which requested submittal of a Work Plan by July 14, 2017 and claiming the site on Geotracker. Thank you for claiming the site on Geotracker; however, it has been 11 months since ACDEH sent the Notice to Comply Letter, and the Work Plan has not been submitted to ACDEH and uploaded to Geotracker.

Implementation of site characterization and/or cleanup at this site is crucial to be protective of human health and the environment and to move this case towards completion and closure. Please note that as Responsible Parties, you are required by California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, §2720 through §2728 to characterize the site and implement corrective action.

In order to regain compliance, please contact ACDEH as described below. Failure to contact ACDEH by the required date may result in enforcement action by the District Attorney. Pursuant to Chapter 6.7, California Health and Safety code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date of July 14, 2017 to submit the Work Plan to ACDEH.

**MEETING/ CONFERENCE CALL REQUEST**

We invite you to attend a meeting at ACDEH's office to discuss your case and identify steps to closure. Please send me an e-mail ([karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)) by June 29, 2018 with your meeting time/date choice from the following two choices:

- **10:00 AM to noon, Friday July 20, 2018: Meeting**
- **10:00 AM to noon, Friday July 27, 2018: Meeting**

This meeting is being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.