

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

May 14, 2007

Mr. Vic Dungca
Aviorealco
27675 Vista Bahia
Hayward, CA 94545

Subject: Fuel Leak Case No. RO0000013, New Performance, 186 East Lewelling Blvd., San Lorenzo, CA

Dear Mr. Dungca:

Under the direction of this office, Carl and Donna Graffenstatte are conducting an environmental investigation for a property located at 186 East Lewelling Blvd., San Lorenzo, CA. Groundwater contamination has been detected in a monitoring well near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. ACEH is requiring Carl and Donna Graffenstatte to characterize the extent of contamination from their site. Sierra Environmental, Inc., on behalf of Carl and Donna Graffenstatte, previously submitted an access agreement to you to allow exploratory borings and monitoring wells at Hacienda Town Homes at 140-182 East Lewelling Blvd., San Lorenzo. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. The Regional Water Quality Control Board may hold an uncooperative property owner responsible for investigation and cleanup costs if he or she refuses to provide reasonable access to a responsible party attempting to investigate and cleanup pollution that has moved onto adjacent sites. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510)383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

If you have any questions, please call me at (510) 383-1767.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

Mr. Vic Dungca
May 15, 2007
Page 2

cc: Mr. Carl and Donna Graffenstatte
Graffenstatte Corporation
PO Box 1295
Eatonville, WA 98328

Mr. Reza Baradaran
Sierra Environmental Inc.
980 W. Taylor Street
San Jose, Ca 95126

Donna Drogos, ACEH
Steven Plunkett, ACEH
File