



Alameda County

NOV 13 2013

Environmental Health

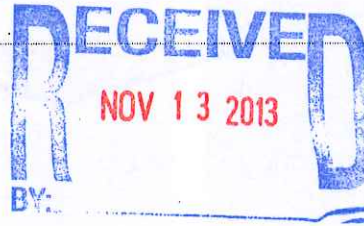


EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

State Water Resources Control Board



NOV 7 2013

Neil and Mary Cotter, Assignee  
2847 Arguello Drive  
Burlingame, CA 94010

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), CLAIM NO. 013712, FOR  
SITE ADDRESS: 3884 MARTIN LUTHER KING JR WAY, OAKLAND

The State Water Resources Control Board (State Water Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC). The LOC is your acknowledgement from the State Water Board that you are eligible to submit reimbursement requests for corrective action costs incurred. As stated in the LOC, the State Water Board will reimburse necessary and eligible corrective action costs.

Please note that only costs that have been approved by the Fund will be reimbursed. Any submitted costs that are not included in the approved budget are subject to Fund availability and reimbursement may be considerably delayed.

**Important Note:** Non-budgeted costs incurred prior to issuance of this LOC must be submitted in a separate Reimbursement Request (RR) package from budgeted costs incurred after issuance of the LOC. The non-budgeted costs incurred prior to this LOC should be submitted in RR #1. If the non-budgeted costs and budgeted costs are combined, the reimbursement package will be returned.

All invoices must be billed in the claimant's name and checks paying for invoices must come from the claimant as listed on the application. Any other invoicing and payment arrangements must be reviewed and approved by the Fund or the costs may not be reimbursed.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Fund far exceed the funding available and it is very important that you make use of it in a timely manner.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

You are reminded that you must comply with all regulatory agency time schedules and requirements. You are encouraged to take the necessary steps in obtaining the most reasonable, necessary, and cost effective method for your corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement.

The following documents must be submitted when seeking reimbursement. The Fund will not reimburse costs incurred prior to January 1, 1988:

- 1. A Reimbursement Request Form (enclosed).** Two copies of this form have been enclosed for your use in this packet. Instructions for filling out the Reimbursement Request form can be found on the back of the form.
- 2. A Reimbursement Request Spreadsheet (enclosed).** This form is used to organize and track corrective action costs incurred. After completion, this spreadsheet must be printed and submitted with your reimbursement request. Additionally, you must submit the completed spreadsheet electronically to the Fund.

**THIS IS IMPORTANT TO YOU, PLEASE NOTE:**

**Signature(s) on the application will be the signature(s) required for all future Fund documents.**

We encourage claimants to sign all Fund documents personally. However, there may be circumstances where a claimant wants a representative to be able to sign Fund documents on the claimant's behalf. In this situation, claimants must submit a notarized Power of Attorney form designating a specific representative to sign and submit documents to the Fund. The designated representative should not be a consultant or contractor performing work on the project site because it would create a conflict of interest. Claimants should be aware that they are personally responsible and bound by any assertions made to the Fund pursuant to a Power of Attorney. (An appropriate Power of Attorney form is available on our web site or by request, however other forms may also be acceptable.)

**If the site is closed:** Claimants have 365 days from the date of the site closure letter or from the date of this LOC, whichever occurs later, to submit cleanup costs to the Fund for reimbursement. All remediation costs, including monitoring well destruction and abandonment costs and case closure costs, must be submitted to the Fund prior to the 365-day deadline. The Fund will not reopen your claim or reimburse costs submitted after the deadline.

Neil and Mary Cotter, Assignee  
Claim No. 13712

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**For sites that are not closed:** You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. We continuously review the status of all active claims. You must continue to remain in compliance and submit either a reimbursement request every 6 months, or a status report of your site. Failure to do so will result in the Fund taking steps to withdraw your LOC.

Sincerely,



Lisa Babcock, P.G., C.E.G., Fund Manager  
Underground Storage Tank Cleanup Fund

Enclosures

cc: John and Antoinette Coyle, Assignee  
2193 Trafalgar Place  
Oakland, CA 94611

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