



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

NOTICE OF VIOLATION

July 24, 2009

VERN WILLIRICH
FIRESTONE TIRE & RUBBER CO
7857 FLORENCE AVE STE 200
DOWNEY CA 90240

BILL BERRY
KELLY MOORE PAINTING CO INC
987 COMMERCIAL ST
SAN CARLOS CA 94070

HARRY EBERLIN
9581 LA JOLLA FARMS
LA JOLLA CA 92037

Subject: Fuel Leak Case No. RO0000119 and Geotracker Global ID T0600101674, FIRESTONE #3655, 969 SAN PABLO AVE, Albany CA 94706 – Groundwater Monitoring Requirements

Dear Responsible Party:

On July 3, 2008, Alameda County Environmental Health (ACEH) sent a correspondence to you identifying that your site, FIRESTONE #3655, located at 969 SAN PABLO AVE, Albany CA 94706 has not been claimed in the State Water Resources Control Board's (SWRCB) GeoTracker database. It was further stated that the site must be claimed by August 15, 2008 in order to remain in compliance. A review of the case file and the State's GeoTracker database indicate that the site still has not been "claimed," and your site is out of compliance with directives from this agency. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently electronically transmit reports and other site data, as required.

In order to regain compliance, please claim the site (www.geotracker.waterboards.ca.gov) and submit verification to ACEH by **August 10, 2009**. Failure to claim the site by the due date specified above may result in referral and possible enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Clean-up Fund. 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. Once removed from the Clean-up Fund, the costs associated with the subsurface investigation and/or cleanup work that may be required at your site will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008).

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark E. Detterman', with a long horizontal flourish extending to the right.

Mark E. Detterman, PG, CEG
Hazardous Materials Specialist

cc: Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Mark Detterman, ACEH (Sent via E-mail to: mark.detterman@acgov.org)
Geotracker, File